

Rainbow Bridge

Administrative History



A BRIDGE BETWEEN CULTURES: An Administrative History of Rainbow Bridge National Monument

**By
David Kent Sproul**



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FOREWORD

Rainbow Bridge National Monument, located at the foot of Navajo Mountain in southeastern Utah, has long been a place of fascination, mystery, and reverence. It is also a place with a colorful, and sometimes controversial, history that includes Native American use, Anglo exploration, and Government management practices. This volume, number 18 in the National Park Service Intermountain Region's Cultural Resources Selections series, seeks to summarize that history in an effort to better understand where we came from and provide the context under which long-term management decisions will be made in the future.

The history of Rainbow Bridge begins long before it was established in 1910 as a National Monument under the Antiquities Act of 1906. There is incontrovertible evidence that Native American use of, and reverence for, Rainbow Bridge began in prehistory, and it certainly continues today. The Anglo discovery and scientific documentation of the Bridge in 1909, and the subsequent controversy over that discovery, is a fascinating story. Since the establishment of the Monument in 1910, ever-increasing visitation and conflict between users have challenged National Park Service managers to be innovative in seeking solutions to issues raised. Thus issues of scientific values, access, protection, religious freedom, and cultural significance have shifted in emphasis during the history of the monument and its management. The story of this history is admirably captured in the following pages and it is with great pleasure that I make this information available to the management community and to the public.

Karen P. Wade
Regional Director,
Intermountain Region

The National Park Service cares for special places saved by the American people so that all may experience our heritage.

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This project came together through the efforts of numerous people. I am grateful to the National Park Service and their cooperative program with the University of Nevada, Las Vegas, which provided me the opportunity to write this history. I want to thank Lysa Wegman-French at Intermountain Support Office; John Ritenour at Glen Canyon National Recreation Area; and especially Chris Goetze, the project supervisor at Glen Canyon National Recreation Area, who never failed in her support and patience. Without the research of former National Park Service historian Marcy Culpin, who gathered most of the archival documents before her retirement, this project would have been impossible. I also want to thank all the NPS personnel who reviewed the manuscript drafts.

Special thanks go to Pauline Wilson, the American Indian Liaison at Glen Canyon National Recreation Area. Her assistance with interviewing members of the Navajo Nation and her insight into Navajo culture were the keys to writing the history of Rainbow Bridge religion. I also want to specifically thank the individual members of the Navajo Nation who shared their stories with me over many days and many miles: Tom Dougi, Celone Dougi, Velta E. Luther, Leo Manheimer, Sylvia Manygoats, Buck Navajo, Jack Owl, and Bessie Owl.

At the University of Nevada, Las Vegas, I want to thank Eugene Moehring and Willard Rollings for reading draft copies of chapters 5 and 6. Their suggestions were invaluable. Thanks to my Chair at the Department of History, Andy Fry, who allowed me the privilege of completing this project while still in doctoral courses. The person to whom I owe the greatest debt is Hal Rothman. During my graduate study as well as this project, he was my best critic, my mentor, and my friend. I will always feel privileged to have been his student.

Many of the staff at Southern Utah University in Cedar City, Utah also helped with this project. Janet B. Seegmiller, the Special Collections Librarian at the Gerald R. Sherratt Library, helped me locate several volumes from the University of California series on the Southwest, including a copy of the 1934 Ansel Hall report on the first Rainbow Bridge-Monument Valley Expedition. Jim Kroll, at the Denver Public Library, went out of his way to locate, copy, and mail to me all of Zeke Scher's articles detailing the controversy over honoring Jim Mike, one of the guides for the 1909 expedition to Rainbow Bridge. Laine Sutherland, Curator of Photography at Northern Arizona University's Cline Library, eased the task of acquiring most of the wonderful photographs of Rainbow Bridge and its environs. Rollan and Jane Fell at Cedar Express in Cedar City provided outstanding technical support during the pre-publication phase of this project.

On a personal level, I want to thank my parents, Wendell and Pat Sproul, for all their support and the

extensive daycare they provided to my children while I slipped away to write. I also want to thank my grandmother, Lura Bonar, who allowed me to set up camp in her only spare bedroom and fed me endless cups of coffee while writing this text. My greatest thanks and gratitude are to my wife, Alice, and my three sons, Henry, Holden, and Hayden. As with all things, I do this for them in the hope that they will forgive my countless absences from home. To Alice I can only say, "om mani padme hum."

David Kent Sproul
Cedar City, Utah

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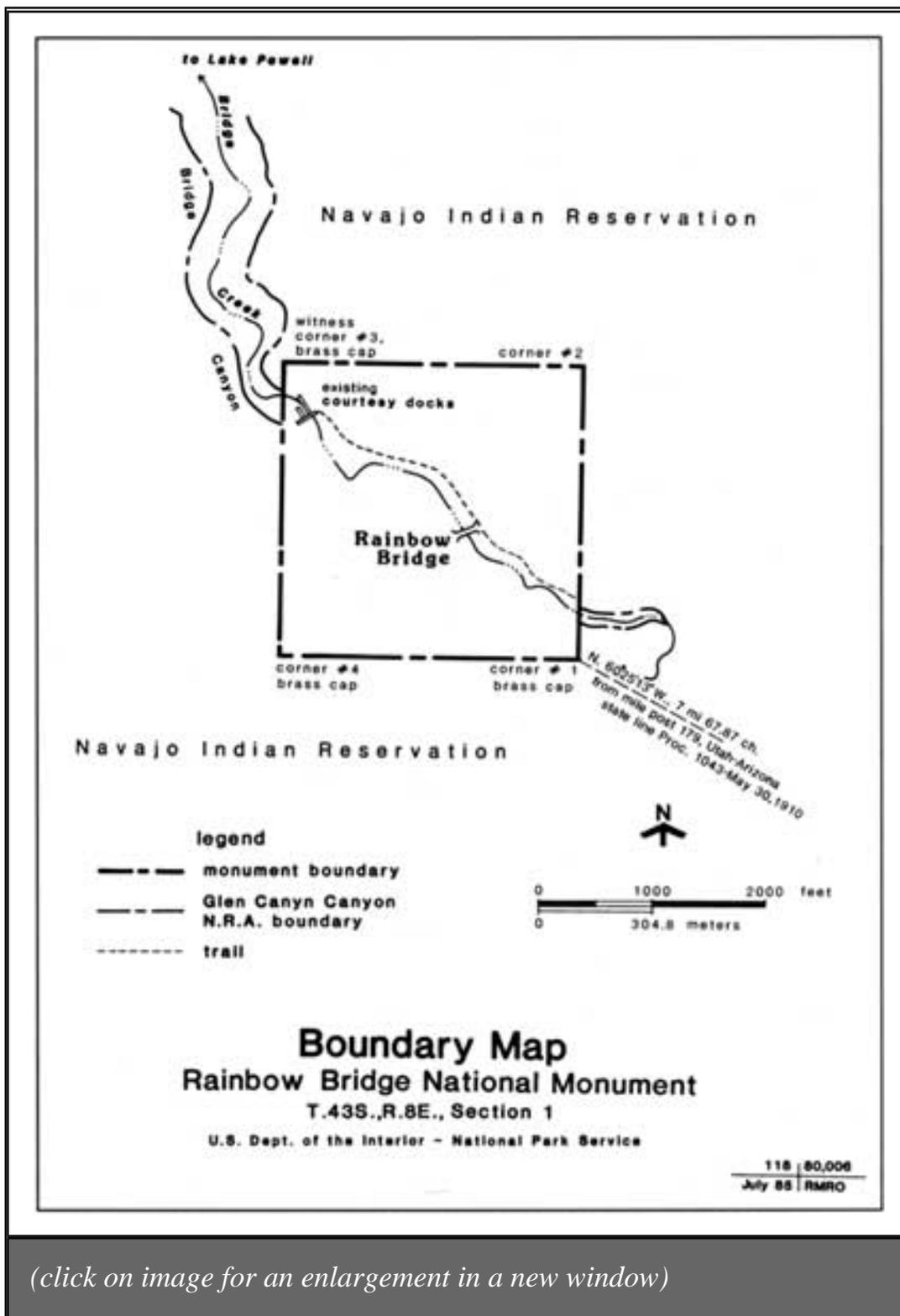
ABSTRACT

The history of Rainbow Bridge National Monument is both long and complex. The monument has existed since May 30, 1910, when it was designated by President William Howard Taft. Between 1910 and 1916, the General Land Office administered Rainbow Bridge National Monument. With the creation of the National Park Service in 1916, the monument has been part of the evolving national park system. Since 1916, the monument was the subject of numerous legal disputes involving several issues. This history identifies and explains the various historical controversies involving Rainbow Bridge National Monument. In addition, this history delineates the cultural, scientific, and aesthetic aspects of the monument that are also important to its interpretation.

The official life of the monument is only part of the story of Rainbow Bridge. Native American groups throughout the Southwest maintain a historical relationship with Rainbow Bridge that pre-dates the 19th century entrance of non-Native Americans into the region. There is also strong evidence that humans have been present near Rainbow Bridge for more than 8,000 years. The spiritual and religious significance to Native American groups such as the Navajo Nation, Hopi, and San Juan Southern Paiute, is detailed in this history.







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CHAPTER 1:

When the World Was Young: The Colorado Plateau and the Formation of Rainbow Bridge

Comprehending the region that surrounds Rainbow Bridge is like looking through a telescope backwards: the picture is complete but it is a great distance away. The geologic history of the area currently referred to as Rainbow Bridge National Monument (NM) is long and complex. Comprehending the formation of the bridge is not as difficult when viewed in the larger context of the region known as the Colorado Plateau. The same series of forces that shaped Glen Canyon worked on a smaller scale in Bridge Canyon and gave the world Rainbow Bridge. It is that larger story that puts into perspective the relative place of humans at the bridge.

In the early 1880s, Clarence Dutton, led a team of surveyors from the United States Geological Survey into the heart of the Aquarius Plateau, just north of present day Boulder, Utah. Standing on a high point in the Henry Mountains, Dutton stared south into the expanse of Utah's canyon country. In the distance he could see Navajo Mountain. Dutton later wrote, "it is a maze of cliffs and terraces lined off with stratification, of rambling buttes, red and white domes, rock platforms gashed with profound canons, burning plains barren even of sage all glowing with bright colors and flooded with sunlight." [1] Dutton's prose conveyed the complexity of the Colorado Plateau but not the accurate sequence of its formation. In recent years a number of excellent monographs have been written that capsulize both the history of the Colorado Plateau and the formation of Navajo Mountain. The effect of these events on the development of Rainbow Bridge is a story flooded with sunlight.

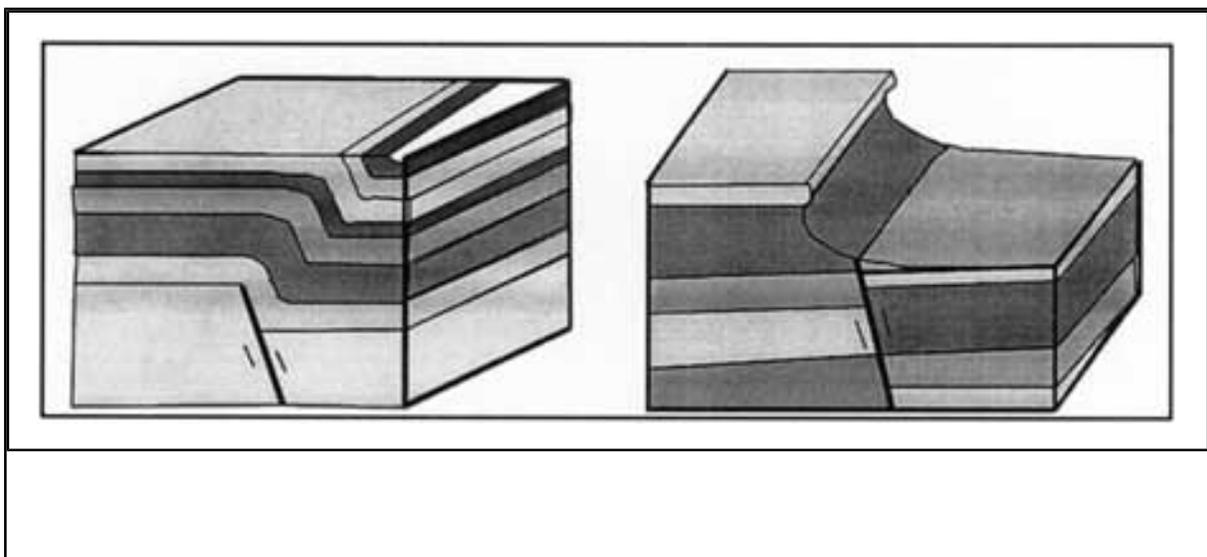


Figure 1 Monocline Faults and Normal Faults (Courtesy of Annabelle Foos, University of Akron)

In one of its earliest forms the Colorado Plateau was covered by an enormous sea. A billion years ago, in the Precambrian era, enormous horizontal fault lines emerged to form the border of the plateau. In the process of geologic and atmospheric evolution, the plateau emerged from that sea approximately 250 million years ago. This period comprised the latter part of the Permian era. The dominant features of neighboring provinces such as the Great Basin were extensive mountain ranges; this feature was noticeably lacking on the Colorado Plateau. Geologists speculate that being bounded by enormous fault lines hundreds of miles in length, the plateau moved in a single block, precluding it from the massive seismic upshifts necessary to form mountain ranges. This is not to say that the plateau lacks mountains; on the contrary, several peaks emerged on the plateau but not from the same causes as larger mountain ranges to the north and west. [2]

The region of the plateau that holds the Colorado River is known as a basin. Basins comprise the area between unique geologic features called monoclines. As large sections of rock rose or dropped vertically along fault lines, forming high and low plains, they created monoclines. Geologist Donald L. Baars describes the monoclines of the Colorado Plateau as "a carpet draping across a stair step." The higher rock is generally flat and forms a graceful slope down to the basin. To the east of Navajo Mountain is the Monument Upwarp monocline and to west lies the Kaibab Uplift. Rainbow Bridge sits just outside the northern boundary of the Black Mesa Basin, the basin formed from these two monoclines. Rainbow Bridge is located in a strange nexus of geologic designations. Technically it lies in the Paiute Folds, but this does not paint a complete picture: The bridge is also at the southern end of both the White Canyon Slope and the Kaiparowits Basin. The magma activity that formed Navajo Mountain (discussed later in this chapter) also contributed to the geologic character of the present day monument. All these geologic structures formed a southerly drainage system that provided the hydrologic outlet known as the Colorado River system. [3] But a cursory look at the structural composition of the landscape near Rainbow Bridge reveals layers upon layers of rock. These layers, referred to as formations, represent the geologic passing of time and the history of how the Rainbow Bridge region came to be. [4]

As the great sea receded, the Colorado Plateau was shifting from the Triassic period to the Jurassic period. One of the oldest layers observed near Glen Canyon is the Moenkopi Formation, a reddish brown layer deposited during the early Triassic period. Moenkopi formations tend to be so old that they are generally hidden by younger rocks. Because of the coincidence of time and events, Moenkopi formations are most often found encircling great uplifts such as the Kaibab Uplift and Monument Upwarp. Canyonlands National Park contains excellent displays of the Moenkopi Formation. In the latter Triassic period, the continent was in a calm climatological

state. Land-bound remnants of the great sea coursed south from great lakes and the earliest of rivers flowed over the southern Colorado Plateau.

Between 200 and 250 million years ago, still during the Triassic Period, the Chinle Formation spread over the Moenkopi. The rivers that flowed across the breadth of the Colorado Plateau left what are known as the basal members of the Chinle Formation. Especially vivid near Natural Bridges National Monument (NM), the basal units are referred to as Shinarump Conglomerate and Moss Back Members. They are characterized by coarse, compacted sandstone that flows along various vectors in and out of the Moenkopi. These stream deposits formed the light colored cliffs that occur above and below many Moenkopi formations. It is also in these Chinle members that much of Utah's uranium load is located. The main part of the upper Chinle Formation is made up of multicolored shales laced by thin beds of fluvial sandstone and dense limestone. On the Colorado Plateau, the Chinle Formation is also known for its numerous depositions of petrified wood. The close of the Triassic Period did much to change the environment of the Colorado Plateau. The temperate weather conditions that created the seeds of the Colorado River System were replaced by a dryer, hotter climate that turned the plateau into a desert of sand dunes. It was these conditions, at the dawn of the Jurassic Period, that brought about much of the modern character of the larger Glen Canyon region. [5]

The Jurassic Period began approximately 200 million years ago and progressed for about 70 million years. Many of the formations that comprise the national parks and monuments of the Southwest developed during this period. The climate changes that took place from the Triassic to the Jurassic periods were extreme. Soaring temperatures and high winds carried sand across every square inch of the Colorado Plateau.

Geologists compare the Colorado Plateau of that time to the Sahara Desert. Wingate Sandstone, Kayenta

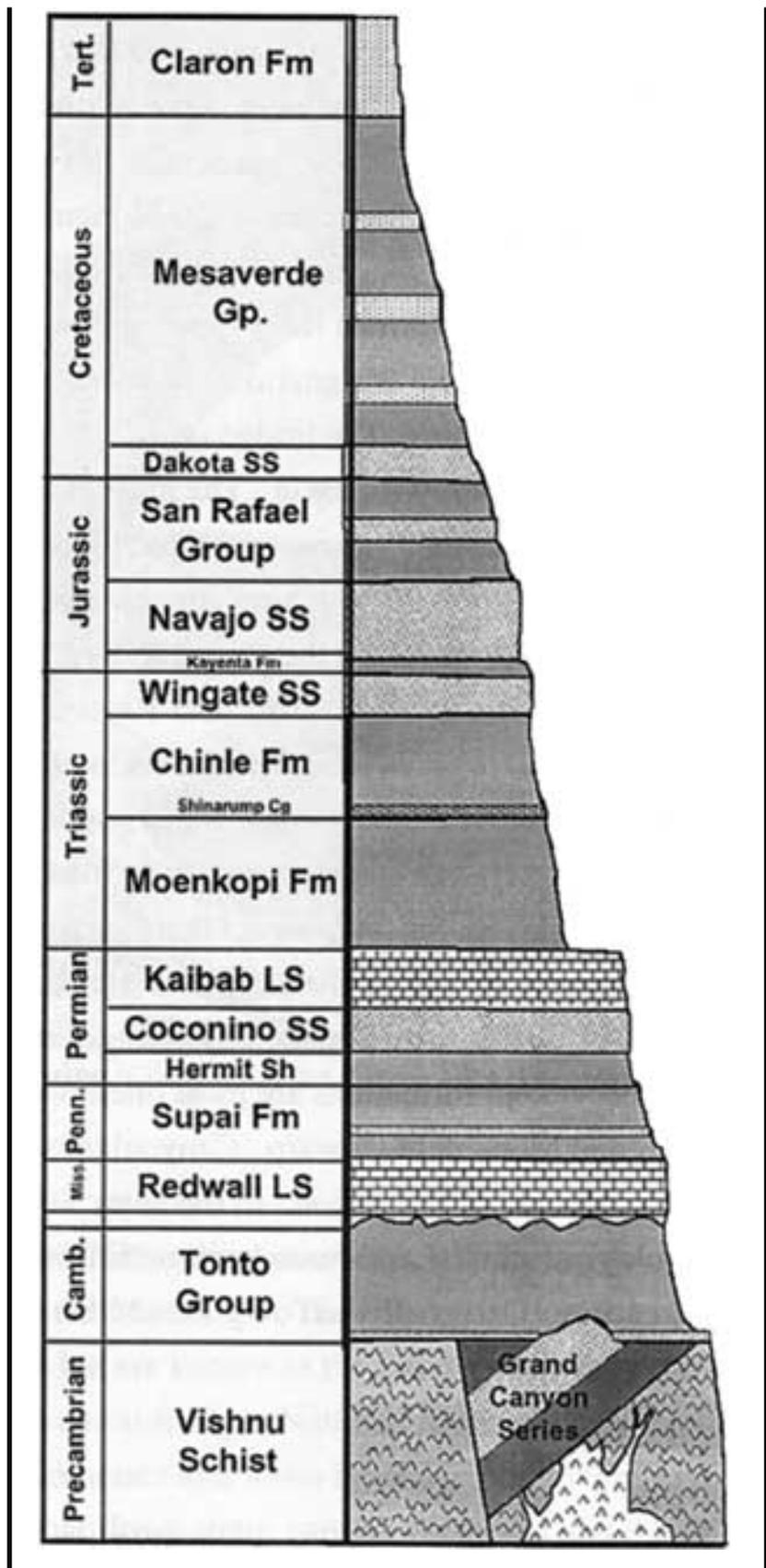


Figure 2 Stratigraphic Diagram of Formation Layers (Courtesy of Annabelle Foos, University of Akron)

Sandstone, and Navajo Sandstone all formed during the Jurassic Period. These three closely related sandstones comprise what is called the Glen Canyon Group. The oldest and lowest of these formations is Wingate Sandstone. It was named for the magnificent red cliffs close to Fort Wingate near Gallup, New Mexico. It is generally composed of thin-bedded, reddish-orange siltstone and sandstone. Its combination of cross-bedded and parallel-bedded structure helps Wingate sandstone form massive, vertical cliffs. The highly bonded nature of the sand causes Wingate Sandstone to break off in large blocks rather than the particulate-level erosion of less hardened units of the Jurassic Period. Wingate cliffs tend to directly overlay the Chinle formations. The distinct reddish color of Wingate Sandstone is due to the iron oxide that coats each coarse grain of sand. Wingate formations make up the bulk of Utah's most spectacular cliff sections. [6]

In the middle Jurassic Period, many millennia after the creation of the Wingate Formation, water and streams returned briefly to the Colorado Plateau. These streams deposited the second layer of the Glen Canyon Group called Kayenta Sandstone, which was named for exposures just north of Kayenta, Arizona. The Kayenta Sandstone is a ledge-forming, thin-bedded sandstone that tends to erode in gentle ledges and slopes rather than forming hardened vertical walls. This is typical of stream depositions throughout geologic history. The Kayenta Formation dissects the Glen Canyon Group by forming a ledge-like slope between two massive cliff-forming sandstones (Wingate and Navajo). Kayenta Sandstone is a firmly bonded stone that is perfect for supporting the massive Navajo cliffs on the plateau. The relatively soft nature of the upper bedding surfaces of the Kayenta Formation, coupled with excellent environmental conditions, make this stone perfect for preserving dinosaur tracks. Numerous tracks have been located near Rainbow Bridge NM in the upper layers of Kayenta Sandstone. This formation also makes up the base of Rainbow Bridge, the layer that underpins the bridge's abutments. This fact becomes significant later in the discussion of how the bridge was formed. [7]

The third prominent member of the Glen Canyon Group is Navajo Sandstone. In the region of Rainbow Bridge, the Navajo Sandstone is a distinctive element. It was designated "Navajo" by Herbert E. Gregory in a U.S.G.S. publication in 1917. Gregory spent large amounts of time exploring in the Southwest, and his surveys figure prominently into the story of how Rainbow Bridge was located in 1909 (see Chapter 3). Navajo Sandstone forms steep (sometimes vertical) walls among the canyons of the Glen. Rainbow Bridge was formed from one of these Navajo Sandstone walls. It is usually white or light gray in color, but occasionally it varies into light pink or light red. The formation consists of highly bonded remains from sand dunes that built up after the middle Jurassic period. In many locations Navajo Sandstone is interspersed with thin beds of dolomite or chert, adding a touch of variety to the appearance. [8]

The latter part of the Jurassic Period contributed numerous other formations. One of the more significant formations is the San Rafael Group which includes the Carmel Formation and Entrada Sandstone. The Carmel Formation is famous for the scenic beauty of the mesas outside Zion National Park. Entrada Sandstone does not form into massive cliffs and deep slot canyons but is responsible for the visual delights of places such as Goblin Valley and many of the arches in Arches National Park. The Jurassic Period came to a close approximately 135 million years ago. Towards the end of the period the Colorado Plateau became a lowland once more. The landscape was dominated by streams and feeder lakes that carried material along the channels that became Glen Canyon. Toward the end of the Jurassic Period the great sea returned to the Colorado Plateau, generating the enormous compression needed to form much of the Glen Canyon Group. But that sea receded once again, and three more important eras of deposition ensued. The periods following

Jurassic time the Cretaceous, Tertiary, and Quaternary Periods did much to shape the landscape referred to as modern. [9]



Figure 3 Rainbow Bridge (Courtesy of Glen Canyon NRA, Interpretation. Photo by Russell I. Alley)

In the West, the recession of the various inland seas was coupled with widespread folding and thrust faulting. These forces produced upward-shooting mountain ranges where seas had once gathered, forcing the seas to drain along new outlets. Erosion processes besieged the freshly made Glen Canyon Group, depositing thousands of feet of collected sand and boulders on the Colorado Plateau. This was the beginning to middle Cretaceous Period. By the late Cretaceous Period, the seas made their way east, cut off from western exit by new mountain ranges. As the seas moved eastward they ran into westward migrating shorelines, creating mud flats and aggressive barriers which prevented exit. As a result, material flowing from the western slopes of new mountains met material traveling from the eastern flats to deposit much of the composition of the basins of the Colorado Plateau. The San Juan Basin, which lies east of present day Rainbow Bridge NM, contains many of the younger formations of this late Cretaceous Period such as Dakota Formation, Mancos Shale, and the well known Mesa Verde Group. [10]

In Black Mesa Basin, just south of Rainbow Bridge, the formations generated in the Cretaceous Period are similar to those found in the San Juan Basin but vary in terms of age and depositional equivalence. For

example, deposition of the Dakota Sandstone began later in Black Mesa because it took longer for the eastern shoreline to migrate that far southwest. This also explains why Mancos Shale occurs higher in the stratigraphic map because it took longer for the mud beds to thicken and form the shale in Black Mesa Basin than it did in younger areas to the northeast. Effectively Black Mesa Basin formed the meeting place and exit route of eastward/westward geologic and hydrologic forces that shaped the end of the Cretaceous Period. Similarly, to the north these forces deposited many of the stratigraphic layers that form the Kaiparowits Basin and the Grand Staircase. The latter Tertiary and Quaternary Periods deposited little compressed material. Sand, gravel, terrace material, and igneous intrusions all scattered across the lower Colorado Plateau as a result of the exodus of water that ended the Cretaceous Period. Since no inland sea returned to the lower Colorado Plateau during these last two periods, no massive compression took place. The permanent recession of water from this point on did not allow these periods to leave a lasting geologic impression. [11]

Much of the geologic material formed in these later periods is not present in the modern monument, because of the volume of water present during the end of the Cretaceous Period and the force with which it exited the Rainbow Bridge region. The complex of waterways that are referred to as the Colorado River system began to cut through some 5,000 feet of sedimentary rock 30 million years ago in the middle of the Tertiary Period. Rainbow Bridge is situated in a unique geologic spot. As the Cretaceous and Tertiary periods wore on, more and more drainages from the surrounding basins formed around present day Rainbow Bridge. Consequently more and more water made its way through the region, flowing in a southwesterly direction. Obviously these waterways flowed for a very long time. But at one point they were the conduit for oceanic amounts of water, amounts that could not be measured in cubic feet per second with any realistic point of reference. This is why little compressed material remains in the Rainbow Bridge region from either the Tertiary or Quaternary periods; water simply carried it away. But the Tertiary Period was critical for its seismic contributions to the modern character of the Colorado Plateau and Rainbow Bridge. [12]

Times of extreme folding and faulting, which characterized both the late Cretaceous and entire Tertiary Period, are referred to by geologists as "orogenies." Caused by upward surges from an immense pool of subterranean molten lava, the orogeny that helped shape the Colorado Plateau began on the western coastline of North America and moved east across the plateau. The surging magma searched for release in every available horizontal fissure. When it could not escape horizontally it pushed up and formed mountainous ranges: This specific period of folding and faulting, known as the Laramide Orogeny, came to a climax in the middle of the Tertiary Period. By the close of this orogeny the entire Colorado Plateau rose approximately 5,000 feet in elevation. Navajo Mountain was formed during this tumultuous time. The mountain is referred to by geologists as a "laccolith," which means it is the product of a unified source of magma displacement that did not actually break through the earth's surface.

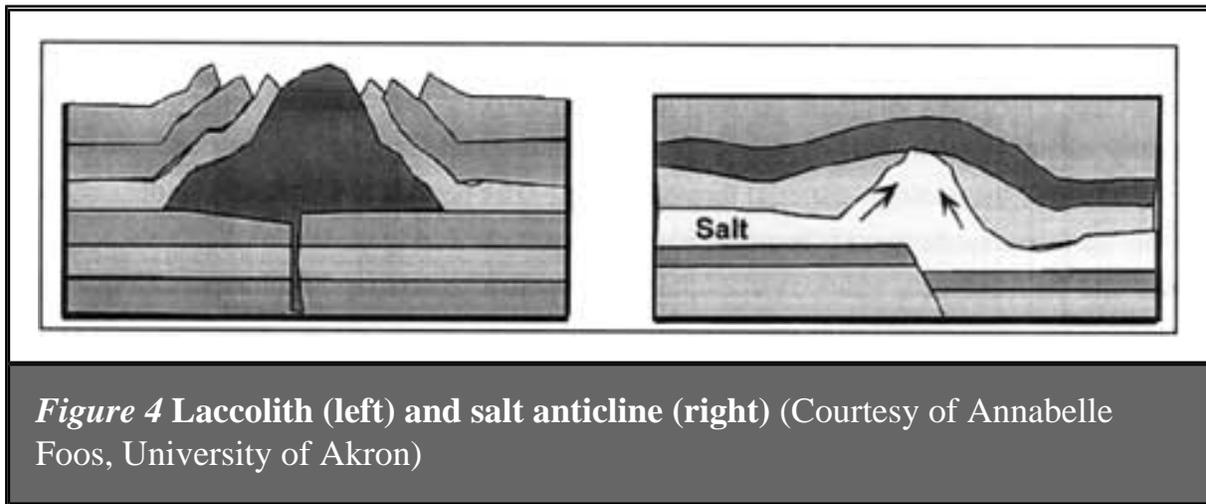


Figure 4 Laccolith (left) and salt anticline (right) (Courtesy of Annabelle Foos, University of Akron)

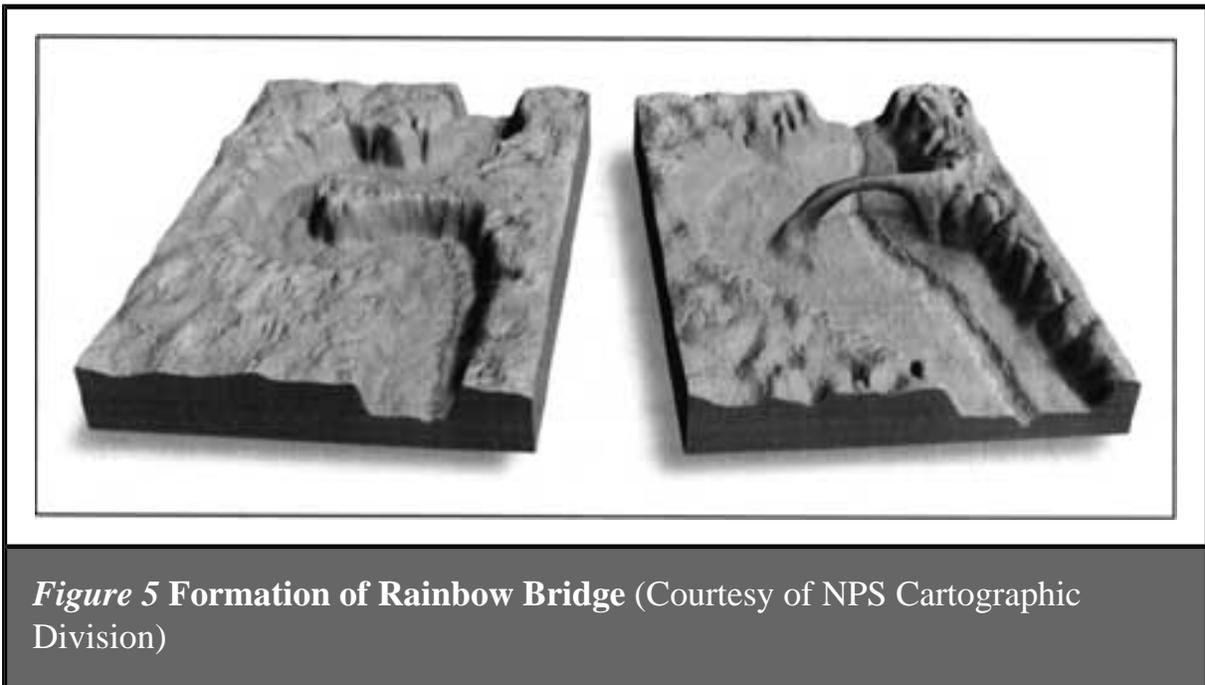
Geologists speculate that a massive tube of lava moved horizontally through the earth's deeper layers and after meeting resistance turned upward in a mushrooming emergence. At Navajo Mountain, as with other laccoliths, there was no eruption at the top of the lava's journey. This is evidenced by the lack of cinder cones, lava beds, or volcanic debris. This explains the nearly uniform dome shape of the mountain, since constant pressure moved ever more vertically but never found a fissure to escape through. That pressure folded the sedimentary layers it encountered rather than breaking them. There is evidence of stress fracturing at the top of Navajo Mountain, like the splintering that occurs on the outside part of a bent branch that is about to snap. But that splintering never yielded a volcanic release. It was this aspect of the Tertiary Period that was so critical to the formation of Rainbow Bridge. [13]

As the Laramide Orogeny continued to shake up the Tertiary Period and the last era of inland seas receded to the south, the Colorado River system was beginning to form. While the hydrologic forces that shaped modern Glen Canyon may have been infantile 30 million years ago, they were sculpting the landscape. The depositions left by the Tertiary and subsequent Quaternary Periods were mostly uncompressed particulate in composition. These younger layers did not have a chance to be melded by the enormous pressure of oceanic bodies of water; consequently, the waters of the early Colorado River system made a different use of those sedimentary materials. As the waters receded, they carried tremendous quantities of gravel and sand and even massive chunks of segregated sandstone along their course to the south. These forces acted like a sandblaster on the surrounding landscape. Water alone would probably have shaped the canyons as they are viewed today, but the speed with which those erosional processes completed their task was enhanced by all the large-gauge particulate present in the water. This is why so little geologic evidence (save erosion) remains from the Tertiary and Quaternary periods it was simply washed away. This was the first factor in how Rainbow Bridge evolved into its current form. [14]

The rudiments of Bridge Canyon were likely born in the aftermath of Navajo Mountain's laccolithic construction. Geologist Donald L. Baars contends that the great drainage patterns of the Colorado Plateau were already well established by the late Tertiary Period, less than 10 million years ago. After the great dome pushed skyward to over 10,000 feet above modern sea level, between 30 and 50 million years ago, the normal work of erosion continued but with greater water flow. The presence of Navajo Mountain near Bridge Canyon intensified climatic activity, as most mountains tend to attract storms. The increased rainfall added to the ever flowing drainage system that was forming deeper and wider canyons. In addition to the increased flow caused by Navajo Mountain, increased precipitation also modified the climate of the

Colorado Plateau. Long periods of torrential rain, known as "pluvials," blanketed the Southwest. High volume water flows tended to tear away large chunks of strata from canyon walls as the hydrologic flow intensified, causing canyons to widen as they deepened. To make matters more complicated, much of the Colorado Plateau rose again during an orogeny that took place less than seven million years ago. This increased the velocity of the drainage and lowered the temperatures at the higher elevations, especially on Navajo Mountain. [15]

Near the middle of the Quaternary Period, also known as the Pleistocene Epoch, glaciers from the northern part of the continent moved south. While those glaciers did not make it across the length of the Colorado Plateau, they did help form the modern pale of the La Sal and San Juan Mountains. This Pleistocene Epoch also ushered in periods of snow accumulation on Navajo Mountain. As these glaciers expanded and contracted, melted and thickened, the flow of water continued to intensify through the ever evolving Colorado River drainage system. [16] It was the combination of all these geologic and climatic forces uplift, laccoliths, pluvials, and glaciation that made it possible for Bridge Canyon to give birth to Rainbow Bridge.



There is little rationale for why Bridge Creek followed the course that it did. The present-day topography reveals significant evidence of how the creek looked before Rainbow Bridge formed. As seen in Figure 5, the stream flowed across the Navajo Sandstone plain following the path of least resistance. As more water flowed during the Pleistocene Epoch, the erosive power of the creek intensified, cutting into the sandstone an ever wider and deeper trench. Like all streams or rivers, there were wide points in the flow. Water tended to swirl back on itself in those wide spots, forming eddies. The higher the flow, the stronger the eddy. The erosive power of Bridge Creek, with all its abrasive material carried down stream from above, intensified the effects of these eddies on the newly forming canyon walls. The result was a series of great ox-bow loops that held immense swirls of abrasive-laden water. The amphitheater-like alcoves that sit opposite the bridge today are all that is left of those ox-bows. As the water pounded into the downstream portion of the walls, the walls thinned, producing elongated fins that would not tolerate extended abrasion. Today one can view the remnants of Late Pleistocene fins cropping out from the alcoves directly opposite Rainbow Bridge.

The number of alcoves created by the meandering course of Bridge Creek is difficult to ascertain. It is probable that the creek flowed from side to side in many curves in the span of only a few miles. As the base of an alcove eroded to progressively thinner dimensions, the overhanging roof of the alcove collapsed and sediment built up along the lower section. What is sure is that at the fin that became Rainbow Bridge, the water encountered a thick bed of Kayenta Sandstone. The base of the fin was much harder than the upper portion and Bridge Creek could not erode any further down the wall of the fin. At this point, some 500,000 to one million years ago, the erosional process focused on thinning the fin on both the upstream and downstream sides above the Kayenta Sandstone base, since eddies would have formed at both locations. Eventually the Navajo Sandstone could no longer withstand the force of Bridge Creek and a hole formed in the fin.



Figure 6 Rainbow Bridge and alcoves (Courtesy of Glen Canyon NRA, Interpretation Files. Photo by Russell I. Alley)

Following the path of least resistance, Bridge Creek plummeted through the widening hole in the fin and abandoned the alcoves in immediate proximity to the bridge. This is why the alcoves near the bridge are still standing today. Large scale flooding, rain, and wind were the reason that the hole in the fin eroded from bottom to top. As the hole expanded, the flow of Bridge Creek moved in a northerly direction, and a trench

formed below the bridge. Even the Kayenta Sandstone could not withstand prolonged unidirectional erosion. Slowly, the empty space beneath the bridge expanded as pluvials and wind took their toll. Had the Pleistocene climate pattern not subsided, the bridge might very well have thinned to the point of either snapping under its own weight or being unable to tolerate seismic activity. Fortunately for contemporary humans, weather and seismology favored the bridge and left the most spectacular stone edifice of Southwest. [17]

The history of the Colorado Plateau, as briefly presented in this administrative history, is a complex and dynamic story. While the forces that created the plateau are currently at rest, the plateau's history suggests that calm is never a permanent state of affairs in the Southwest. Regardless, humans have been privileged to witness one of the great masterpieces of erosion in the form of Rainbow Bridge. It is apparent that a number of elements were necessary to produce the bridge. Had Navajo Mountain formed further south in the heart of Black Mesa Basin, the bridge might never have come to be. Whether the creation of the bridge was design or chance is idiosyncratic to the fact that contemporary humans have benefitted from the result.

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CHAPTER 2:

Life Before the Monument: Human Habitation at Rainbow Bridge and Its Environs

Long before Euro-American populations occupied the Southwest, enormous numbers of Native American peoples inhabited the region. The most populous group is known today as the Navajo Nation. Theories vary as to how Native Americans, including the Navajo, came to live in the American Southwest. While some archeologists and linguists have suggested that Native Americans migrated into the region from elsewhere, the Navajo Nation contends that Navajos emerged in the Southwest. [18] To be sure, the structure of development and the patterns along which culture evolved in the Southwest is still a subject of intense debate. To better understand the controversies and conflicts that colored Rainbow Bridge NM during the 20th century, it is important to examine the patterns of population development in the area. This chapter details how various Native American and Euro-American groups came to the region surrounding Rainbow Bridge and the conflicts and compromises that marked that influx. This information is critical to understanding the dynamics of the region's contemporary cultural disputes and the National Park Service's attempts to solve some of those disputes and to generate solutions.

There are two sets of data that detail human history at Rainbow Bridge. The first is commonly referred to as "written records" or scientific data. It is based on the many 20th century archeological expeditions that explored the region. The second, known as "oral tradition," or ethnographic data, is based on the ethnohistorical data collected by contemporary cultural historians and ethnographers. Unfortunately for contemporary readers, historians have barely tapped the vast reserve of oral history available in region. The ethnohistorical set of facts makes tacit use of archeological data but never at the expense of undermining a culture's history of itself. In other words, the ethnohistorical record never takes a backseat to the archeological record. At various points the archeological data coincides with the ethnohistorical data; at other times they do not. This administrative history makes no attempt to validate or discredit the stories told by either set of records. The focus is on the relative validity of those facts to their informants. The Navajo Tribe, while conducting contemporary archeological research, is not swayed from the ontological truth of its own oral tradition and history. Nor is any non-Navajo archeologist working under the penumbra of contemporary science dissuaded from the facts as they are presented through radio carbon dating and comparative site analysis.

Numerous archeologists, amateur and professional, conducted explorations of Rainbow Bridge NM during the 20th century. However, the data acquired prior to the 1950s was incomplete at best. Early Euro-American visitors to Rainbow Bridge noted certain site remains that have not been verified by contemporary archeologists. Most of the members of the first Euro-American expedition to the bridge, led by Byron

Cummings, William B. Douglass, and John Wetherill, observed what appeared to be a shrine or altar of indigenous origin at the foot of the bridge. There was no accurate analysis of what human group was represented by this structure or what its possible use may have been (see Chapter 3). Theodore Roosevelt, who trekked to the bridge in 1913, noted the presence of this altar-like structure as well as "the crumbling remains of some cliff dwellings." [19] Charles Bernheimer's 1920 and 1921 expeditions yielded only limited data regarding past inhabitants of the area. Bernheimer made no qualitative effort to categorize the sites he and his team located nor to accurately characterize the contents of those sites. Bernheimer should not be faulted for his failings; the region's limited archeological data base diminished the accuracy of archeological findings prior to the 1950s. The quality of reliable referential material available to men like Bernheimer was extremely limited. In 1932, Julian Steward, working under the guidance of the Bureau of American Ethnology, located five sites in the immediate Rainbow Bridge area. Four of those sites were eventually verified by archeologists from the Museum of Northern Arizona. The fifth site was never found, perhaps due to the inaccuracy of Steward's description. It is possible that the site lay in part of a canyon inundated by Lake Powell. [20]

The first comprehensive surveys of Rainbow Bridge NM took place in the 1950s. After Congress authorized the Colorado River Storage Project and Glen Canyon Dam in 1956, the Bureau of Reclamation contracted the Museum of Northern Arizona (MNA) and the University of Utah to conduct archeological surveys of all areas that would be inundated by waters impounded behind the dam. Among the many sites catalogued between 1956 and 1958, University of Utah and MNA teams located eleven sites in lower Forbidding Canyon. According to archeologist Phil R. Geib, these sites variously contained granaries, small habitations, petroglyphs, chipped hand-and-toe-hold trails, and terraced garden plots. Two sites were excavated in 1958. One contained pottery, lithic tools, and some remains of foodstuffs. Neither site revealed any concrete information about the region's prior inhabitants. [21]

In 1984, the Park Service contracted a group of archeologists from Northern Arizona University, led by Phil Geib, to conduct detailed site discovery and analysis of Rainbow Bridge NM and various surrounding areas. Within the boundaries of the monument, the team recorded eight sites and three isolated finds in a total surveyed area of seventy acres. Two of the sites were nothing more than the chiseled inscription of John Wetherill's name on rock surfaces. On the east side of Bridge Canyon lay site 42SA17328, which contained chert flakes, corn cob fragments, and flecks of charcoal. The team assigned this to a Preformative period. The chert flakes were evidence of "bifacial thinning activities," commonly understood as the production of some tool (arrowheads or axe blades) by chipping away at soft stone with a harder chipping stone. Site 42SA17331, located on the southwest side of bridge canyon, consisted of two remnant masonry walls situated in an alcove. The walls appeared to be constructed from dry-laid, unshaped Navajo Sandstone blocks. This site was assigned variously to either Kayenta Anasazi or Pueblo II-III (1050-1250 A.D.). [22] Most of the other sites were either indeterminate in their origin or assigned to 20th century Navajos, Paiutes, or Euro-Americans. But the research did add to the general body of knowledge of the monument's prior inhabitants.

The 1984 survey gathered enough data to make some basic conclusions about human habitation in the Rainbow Bridge area. Thousands of years before the 1909 Cummings/Douglass expedition, Archaic hunters-and-gatherers migrated throughout the region in search of mountain sheep and other wild foods. They certainly inhabited the Bridge Canyon region for a brief time. In the Puebloan period (700-1300 A.D.)

ancestral Puebloan peoples, also referred to as Anasazi, migrated through the monument's drainage in search of food as well as suitable agricultural locations. They planted small fields of corn, beans, squash, and even cotton. These activities necessitated the construction of granaries, rooms, and small living structures. While the occupation of Bridge Canyon by ancestral Puebloan peoples probably lasted no more than 150 years, evidence of their presence is unmistakable. [23] But the evidence of habitation is older than the Puebloan period.

Some of the most conclusive proof of prehistoric occupation in the Rainbow Bridge region came in the early 1990s when Geib and others published extensive results of numerous analyses from sites in greater Glen Canyon. Those findings made use of certain terms, which are also employed in this administrative history, to assign temporal/cultural periods to human habitation. Those periods are: Paleoindian, Archaic, Early Agricultural, Formative, and Late Prehistoric/Protohistoric. These temporal/cultural periods were cross-referenced to existing archeological assignments known as Pecos development stages (e.g., Basketmaker II or Pueblo I). These published findings also used various dating systems, including references to B.P. (Before Present), C.E. (Contemporary Era), B.C.E. (Before Contemporary Era), as well as date references in terms of A.D. or B.C. All dates have been converted to A.D. or B.C. to provide readers a higher degree of consistency in interpreting the data.

The earliest evidence of human occupation in the Glen Canyon region suggests that Paleoindians occupied the area between 11,500 B.C. and 8000 B.C. These Paleoindians subsisted presumably on big game and were known for their distinctive point types. The Archaic period, 8000 B.C. to 600 B.C., was the time when corn and squash were introduced to Glen Canyon. The Early Agricultural period, 600 B.C. to 500 A.D., started after the extinction of large mammals, known as megafauna, and was characterized by the transition from hunting and gathering to the cultivation of corn and squash. The Formative period, 500 A.D. to 1300 A.D., was marked by increasing reliance on agriculture by those people designated archeologically as Puebloan and Fremont. The Formative period is further categorized by Pecos Development Stages: Basketmaker III (600-800 A.D.); Pueblo I (800-1000 A.D.); Pueblo II (1000-1150 A.D.); and, Pueblo III (1150-1300 A.D.). There is evidence to support the claim that human habitation occurred in close proximity to Rainbow Bridge well before Basketmaker III. [24]

Excavations at sites such as Dust Devil Cave, Sand Dune Cave, and Captain's Alcove, all of which lay less than twenty kilometers from Rainbow Bridge, yielded strong evidence of habitation between 7000 B.C. and 750 A.D. Archeologists located a sandal fragment of an open-twined style at Sand Dune cave and radiocarbon dated it at 5750 ± 120 B.C. In 1970, archeologists excavated Dust Devil Cave, approximately 20 kilometers west of Rainbow Bridge. They recovered another sandal fragment nearly identical to that found at Sand Dune Cave. The radiocarbon date of the artifacts at Dust Devil Cave ranged from 6880 ± 160 B.C. (a yucca-lined pit) to 4835 ± 60 B.C. (a plain-weave sandal). At Captain's Alcove, also just west of Rainbow Bridge, archeologists radiocarbon dated charcoal from two separate hearths at between 1810 ± 75 B.C. to 495 ± 85 B.C. At Benchmark Cave, slightly closer to Rainbow Bridge than Captain's Alcove, Phil Geib and other archeologists recovered multiple open weave sandal fragments. Those artifacts were radiocarbon dated from 3860 ± 70 B.C. to 1260 ± 55 B.C. The consistency of dates for artifacts found at multiple locations near Rainbow Bridge suggests that no single site was a fluke. The dates at these sites were also consistent with similar artifactual evidence taken from more remote Glen Canyon sites such as Cowboy Cave, Bechan Cave, and Old Man Cave. [25]

The archeological data base, as it expanded throughout the 1980s and 1990s, suggested some obvious facts about Rainbow Bridge and its environs. It seems likely that numerous Paleoindians from nearby locations traveled in the Rainbow Bridge region, given that they were less than fourteen miles from the bridge. Habitation in the region surrounding Rainbow Bridge continued consistently from approximately 7000 B.C. up to 1300 A.D. Dust Devil Cave itself contained nine strata that housed artifacts spanning 9000 years of intermittent occupation. Coupled with the data collected by Geib in 1984, there was a clear record of human habitation in and around Rainbow Bridge NM that was much older than early explorers ever suspected. [26] Not surprisingly, evidence of early occupation grew ever closer to Rainbow Bridge.

In early 1993, a group of archeologists, including Geib, went to work on a project sponsored by the Navajo Nation Archeology Department. The project, which was not finished by the time this administrative history was published, was called the N16 Road Project. It involved a stretch of dirt road on the Navajo reservation between Inscription House and Navajo Mountain. Numerous Archaic Period sites were excavated along N16. Findings from only five sites have been published in Geib's *Glen Canyon Revisited*. As sites were found closer to Rainbow Bridge and Navajo Mountain, their artifactual evidence remained consistent with sites like Sand Dune Cave and Dust Devil Cave. The sites referred to as Windy Mesa (AZ-J-14-28) and Polly's Place (AZ-J-14-31) both contained multiple hearths that yielded charcoal samples dating to approximately 6000 B.C. The Pits (AZ-J-14-17) included multiple storage pits that contained maize fragments dating to 240 ± 60 B.C. The existence of storage pits also indicated seasonal and/or long term human occupation during the late Archaic Period. Even more definite evidence of early occupation of the Rainbow Bridge area came in late 1994.



Figure 7 Excavated hearth at Rainbow Bridge, 1994 (Courtesy of Glen Canyon NRA)

Until 1994, the only site recorded that stood in close proximity to the bridge was site 42SA17329. The site, as it was originally documented, consisted of several historic petroglyphs, including a horse petroglyph of Paiute or Navajo origin (date uncertain). The remainder of the inscriptions were Euro-American in affiliation and consisted mostly of names, dates, and other drawings carved by visitors to the bridge. The name of western author and adventurer Zane Grey, who first visited the bridge in 1913, was among those inscriptions. Located on and around the east leg of the bridge, site 42SA17329 was significant in and of itself. But the site also stood directly above the purported location of the famous altar that so many early visitors noted in their descriptions of the bridge. The altar's existence was never verified by contemporary archeologists because it disappeared sometime after the 1930s. During the extremely heavy rains of early 1994, water erosion at the foot of the bridge revealed a hearth structure that was definitely not of 20th century origin. Inspection of the hearth in September 1994 revealed that it was being damaged by vandalism. The Park Service decided an emergency excavation was in order. In November 1994, Park Service archeologists Chris Goetze and Tim W. Burchett commenced excavation and radiocarbon dating procedures on the hearth's contents. After consultation with the Navajo Tribe, Goetze and Burchett added the hearth to the described parameters of site 42SA17329 (based on proximity) and received approval for an emergency data recovery program. [27]



Figure 8 Excavated hearth at Rainbow Bridge, 1994 (Courtesy of Glen Canyon NRA)

The results of radiocarbon dates on the hearth were intriguing. The charcoal samples were dated at 540 ± 60 A.D., which placed the use of the hearth near the Basketmaker III period. However, Goetze and Burchett worried that this date was the result of "old wood" being used in the hearth. While this is possible, the data collected thus far from other nearby sites, including the N16 project, suggests that the Basketmaker III assignment was not too far off the mark. More importantly, even if the cultural assignment were adjusted to Pueblo II or Pueblo III, the hearth was indicative of early knowledge of the bridge and possibly reverence for it as spiritual icon. The report filed by Goetze and Burchett surmised that even if the Basketmaker III assignment was erroneous because of the "old wood" problem, "the hearth is still representative of activities including probable food processing, preparation, ceremonial, and social use of Rainbow Bridge." [28] This site, added to the dozens of others just beyond the monument's boundaries, evidences a thousand-year-old pattern of travel and occupation around Rainbow Bridge.

The archeological record tells a compelling story about Rainbow Bridge and its environs. There was definitely some human occupation of lower Bridge Canyon as late as 650 A.D. In the surrounding canyons and mesas, occupation by Paleoindians and Archaic Period humans took place as early as 8000 B.C. and continued through 1300 A.D. There is also the possibility that Paiute occupation began as early as the 12th century, though strong archeological data remains to be collected which would support such a claim definitively. However, based on the well established subsistence patterns observed by Dominguez and Escalante in 1776 (described later in this chapter), it seems probable that Southern Paiutes moved into the Navajo Mountain and Rainbow Bridge region at least as early as the 15th century. But there is another set of facts that describe the history of human occupation near Rainbow Bridge. Those facts are based on ethnohistory and cultural sources that do not necessarily rely on hard archeological data and should not be weighed in terms of criteria established in other cultures. Local Navajo and San Juan Southern Paiutes, as well as the Hopi to the south, view their interpretation of their history with the same veracity that Euro-American historians view the archeological record. [29] In this sense, modernism and traditionalism coexist at Rainbow Bridge.

In the contemporary Rainbow Bridge/Glen Canyon region there are numerous Native American peoples of various tribal affiliation. The largest tribe in the region is the Navajo Nation. The Navajo refer to themselves as Diné, which means "the People." Linguists trace the Diné language to the Lake Athapasca region of northwestern Canada. According to linguists, Athapaskan-speaking peoples, which include the Diné, began migrating south from Canada between approximately 1000 A.D. and 1200 A.D. There is still debate today as to the path their journey followed. Two major schools have developed regarding Navajo entrance into the Southwest. One group of researchers contends that the Navajo moved south across the High Plains of the Southwest just prior to Coronado's presence on the Rio Grande in 1541, crossing the Continental Divide sometime after the Pueblo Revolt of 1680. The other school argues that the Navajo arrived in the Southwest before 1500 A.D., having traveled south along the east side of the Rocky Mountains. The former school suggests a southern terminus point further east than that claimed by the latter school. Both groups of scholars suggest that whatever the southernly terminus of Navajo migration, the Navajos migrated west into northern Arizona and southern Utah after reaching eastern New Mexico. [30] Both schools point to Tapacito Ruin (dated 1690 A.D.) near Gobernador Knob as the earliest evidence of the southern terminus. Tapacito is marked by Navajo pottery and forked-stick hogans. [31]

The exact time of Diné arrival in the Navajo Mountain/Rainbow Bridge area is difficult to ascertain. Many

archaeologists and anthropologists suggest that when Coronado's Entrada campaign arrived at the Rio Grande in 1541, the Diné were still in the process of migrating into the Southwest. [32] Mary Shepardson and Blowden Hammond advanced a similar theory in their study of the contemporary Navajo community at Navajo Mountain.[33] Consolidating broad data from various scholars, Shepardson and Hammond contend that the Navajo Mountain area contains hundreds of sites of historic importance. The earliest period represented is Basketmaker II, dating from 1 A.D. to 600 A.D. Basketmaker III and Pueblo 1, II, and III are also represented sporadically all over the Rainbow Plateau and Paiute Mesa just south of the Arizona state line. These records suggest the early presence of pre-Puebloan peoples. The ancestral Puebloan cultures, commonly referred to by archeologists as Anasazi, are represented in various sites near Rainbow Bridge. Between 1200 A.D. and 1300 A.D., the ancestral Puebloan cultures withdrew from the sites known today as Keet Seel, Inscription House, and Betat' akin. Ancestral Puebloan culture did not reappear after 1350 A.D. [34]

Archeologist Alan Downer, a member of the Navajo Nation's Historic Preservation Office, has argued that this data represents more than the southern exodus of ancestral Puebloans. Downer asserts that using a more ethnographically sensitive reading of the archeological record reveals more about Navajo origins than any interpretation filtered through the Pecos model of development. He argues against the idea that Navajos were late arrivals to the Southwest in the early 1500s. Downer suggests that the fact that Athapaskan speakers were spread throughout the Southwest mitigates that linguistic element as a determinant of Navajo origin. He contends that there are now enough sites of distinct Navajo origin dating to the early 14th century to rethink the late arrival theory:

As more and more early dates continue to be added to the data, they become more and more persuasive as a suite of evidence. There are now enough dates to the early 14th century to suggest that this represents a real occupation dating to the early 1300s. These dates come from sites that are plainly Navajo that is, looking at the material culture evidence from the sites, there is no question that these sites are Navajo the artifacts, the architecture, and the spatial organization are distinctively Navajo. Such sites are not found anywhere along any of the posited migration routes. It is reasonable to conclude that this distinctively Navajo site structure evolved in the Southwest. Based on any reasonable reading of the archeological record, these sites can not be seen as evidence of a new ethnic group suddenly moving into the area. [35]

Downer contends that these sites are so distinctive that it must have taken several centuries for this pattern to evolve, placing Navajos in the region in the early 12th century. This evolutionary model of development reflects the Navajo Nation's firm commitment to an ethnographic reading of the archeological record. The site data Downer referred to, including carbon dating results and site excavation reports, is housed at the Navajo Nation Historic Preservation Office in Window Rock, Arizona.

Contemporary archeology and ethnohistory suggests that these ancestral Puebloan peoples, who inhabited the canyons near Rainbow Bridge and Navajo Mountain, moved further south between 1200-1300 A.D. to the mesas of Arizona. They formed the Native American group known today as the Hopi. Christopher G. Johnson, in his master's thesis about the significance of Rainbow Bridge to various cultures, consolidated much of the Hopi tradition and archeological evidence as it pertains to Rainbow Bridge. Clan histories tell of

a distinct link between the ancestral Puebloan peoples near Navajo Mountain and the contemporary Hopi. Hopi tradition claims that the first people to come to the southern Hopi mesas were the Snake People from Navajo Mountain (Toko' nabi). During this southern migration, certain numbers of the Snake People took up residence at places such as Moencopi and Wupatki (near Flagstaff). [36] Johnson cites Hopi oral traditions that mention Navajo Mountain as the starting point for Hopi southern migration. Beginning with the Snake People in 1150-1200 A.D., a large number of the remaining ancestral Hopi moved south to various mesas between 1250 A.D. and 1400 A.D.

Based on clan histories and certain pottery sherd analysis, the Hopi could have very likely begun their southern trek from Navajo Mountain. Hopi history tells that Coyote Peoples also came from Navajo Mountain. Rainbow Bridge also figures into the origin story of Hopi people. Johnson relates the oral history taken by A.M. Stephen in 1873 from an elder in the Snake Clan. The elder claimed that his people lived in snake skins that were suspended from the end of a rainbow. The opposite end of the rainbow touched Navajo Mountain. At some point, after the Snake people had acquired enough knowledge of Hopi lifeways from the gods, the skins were dropped from the rainbow onto the mountain, where the people emerged as men and women. [37]

In the 1930s, similar stories were told to Mormon missionaries who came into contact with the Hopi. Various Hopis told Mormon missionary Christian Christiansen that during the 17th century the Hopi used Rainbow Bridge as a refuge from invaders. The identity of the invaders is unclear, but the tradition of seeking security in Rainbow Bridge canyons is more certain. [38] During the Pueblo Revolt of 1680, Hopis claim that certain of their numbers fled north to the environs of Navajo Mountain and Rainbow Bridge. Historian Richard O. Clemmer suggests that Hopi tradition locates the older forest stands on Navajo Mountain, also referred to as Tokonavi, as the home for most Hopi Katchina spirits. Clemmer also contends that Navajo Mountain, Black Mesa, and Betatakin have always been revered as part of the Hopi aboriginal homeland. [39] The probability that some Hopis came to the Arizona mesas from Navajo Mountain is very high. There is enough archeological evidence to support the claim that they were near Navajo Mountain for a time; moreover, the incidence of Hopi contact reported by both Navajos and San Juan Paiutes supports the reality of a multi-cultural community around Navajo Mountain between the 16th and 18th centuries. Even archeologist Phil Geib admits that there are dozens of sites around Navajo Mountain that may possess early Paiute or Hopi affiliation. To date, Geib says, there simply has not been sufficient testing or excavation to verify those claims absolutely. Essentially, the evidence is there waiting to be utilized. [40]

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Last Updated: 07-Feb-2003

Rainbow Bridge

Administrative History



CHAPTER 3:

Searching for Rainbows: The Cummings/Douglass Expedition

The push to make Rainbow Bridge and its immediate environs a national monument began immediately after it was sighted by two men: William B. Douglass, Examiner of Surveys for the General Land Office (GLO), and Professor Byron Cummings, a part-time archeologist and professor of ancient languages from the University of Utah. This chapter details the story of how these two men came together and put Rainbow Bridge on the evolving map of Utah's canyon country. The story of Rainbow Bridge's first official sighting is a controversial tale. Supporters of Douglass and Cummings have leveled numerous accusations at each other over the years. Debates over who led whom to the bridge, which Native American guide had the most immediate knowledge of the trails, and who actually sighted the bridge first are all part of the dispute. More important than the truth of individual claims to glory is the fact that having located the bridge for both science and government, the first official expedition made preserving the bridge a national concern. In addition, the controversy over who discovered the bridge in 1909, while academic at best, was only the first of many disputes that focused on Rainbow Bridge.

In his camp at Grayson, Utah, William Boone Douglass contemplated the fate of a little known stone edifice. On October 7, 1908, Douglass wrote to the Commissioner of the GLO regarding new information about an enormous, white sandstone bridge that was "like a rainbow," and which had a span greater than the Augusta Bridge in the recently created Natural Bridges NM. [76] Douglass admitted in his letter that this information came to him in early September from a Paiute Indian named Mike's Boy, also known as Jim Mike. Mike's Boy had been in Douglass's employ as an axeman. At nearly the same time, a hundred miles away in Oljeto, Utah, the same information was being passed between two other people. Byron Cummings, dean of the College of Arts and Sciences at the University of Utah and an amateur archeologist, was near Oljeto excavating sites at Tsegi Canyon in August 1908. Cummings learned of the possible existence of a massive arch from John and Louisa Wetherill, who owned and operated the trading post at Oljeto. [77] Wetherill and Cummings made plans for an expedition to the bridge for the summer of 1909. Eventually, Cummings and Douglass joined forces in August 1909 and completed the first successful expedition to Rainbow Bridge.

By the beginning of the 20th century, the American Southwest was a hotbed of archeological exploration and excavation. Richard Wetherill, John's brother, discovered Cliff Palace Ruin in 1888. The Wetherill family owned a cattle ranch near Mancos, Colorado. Richard Wetherill happened upon the immense ancestral Puebloan structures at Mesa Verde while chasing stray cattle with his brother-in-law, Charlie Mason. Of all the sites at Mesa Verde, Cliff Palace was the most spectacular. All the Wetherill brothers had cursory knowledge of abandoned dwellings in the Mancos area. In 1887, Al Wetherill stumbled upon the first of the Mesa Verde dwellings, Sandal House. After 1888, the Wetherills, especially Richard, developed

more than a passing interest in prehistoric cultures. Richard Wetherill believed he had discovered a "lost civilization" and was consumed with the pursuit of discovering more sites. [78]

There were very few uniform standards for American archeologists in the late 19th century. In the Southwest, archeologists without any institutional affiliations were considered buffs at best and "pot hunters" at worst. Even the idea of valuing the past for its scientific or historical merit was not well established in the American Southwest. Preservation as a guiding principle was new to the federal bureaucracy that was just starting to manage America's public lands. But the ethos was forming. The federal government began to recognize the value of preserving scenic natural resources, translating that recognition into legislation with the creation of Yellowstone National Park in 1872, as well as three more national parks in California in 1890 (Kings Canyon, Sequoia, and Yosemite). In 1892, President Benjamin Harrison signed an executive order that reserved the Casa Grande Ruin and 480 acres around it for permanent protection because of its archeological value. More and more federal agencies, as well as professional organizations like Edgar L. Hewett's Archeological Institute of America (AIA), realized that the vast federal estate needed management and rules. The evolving disciplines of anthropology and archeology were struggling to achieve legitimate scientific status in America during the late 1880s. Protection and preservation of America's past slowly became one of the goals of post-1890s society.

In this historical context, Richard Wetherill's practice of excavating for profit, even shipping artifacts overseas with men like Gustav Nordenskiold of Sweden, was much less controversial. The debate in the scientific community over how to preserve America's scientific and cultural past was still evolving. [79] It would be unfair to disparage Richard Wetherill from the vantage point of the early 21st century. Scientific preservation was in its infancy in the 1890s, and there was no reason for Richard Wetherill to feel an innate compulsion to save his discoveries for future generations of Americans. He was not alone in his desire to profit from past. But his practices were at odds with the evolving ethos of preservation. Wetherill represented the kind of "pot hunting" that American academics and scientists were trying to move away from. That Wetherill was so successful at finding abandoned dwellings and so undaunted by the criticisms of "professionals" made him an anathema to many. The fact is that many "archeologists" of the period engaged in the same practices as Wetherill. It would be hard to describe any of them as more than collectors of artifacts. Scientific processes such as dating sites, cataloging artifacts, preserving finds for future generations, or even publishing the results of excavations were not part of the regimen for most archeologists in the late 19th century Southwest. Ironically, these same "professional" organizations were trying to distance themselves from the amateurs they thought of as detrimental to their professional prestige. Regardless of the competing ethical interests, it was the professionals and academics who had the ear of Congress.

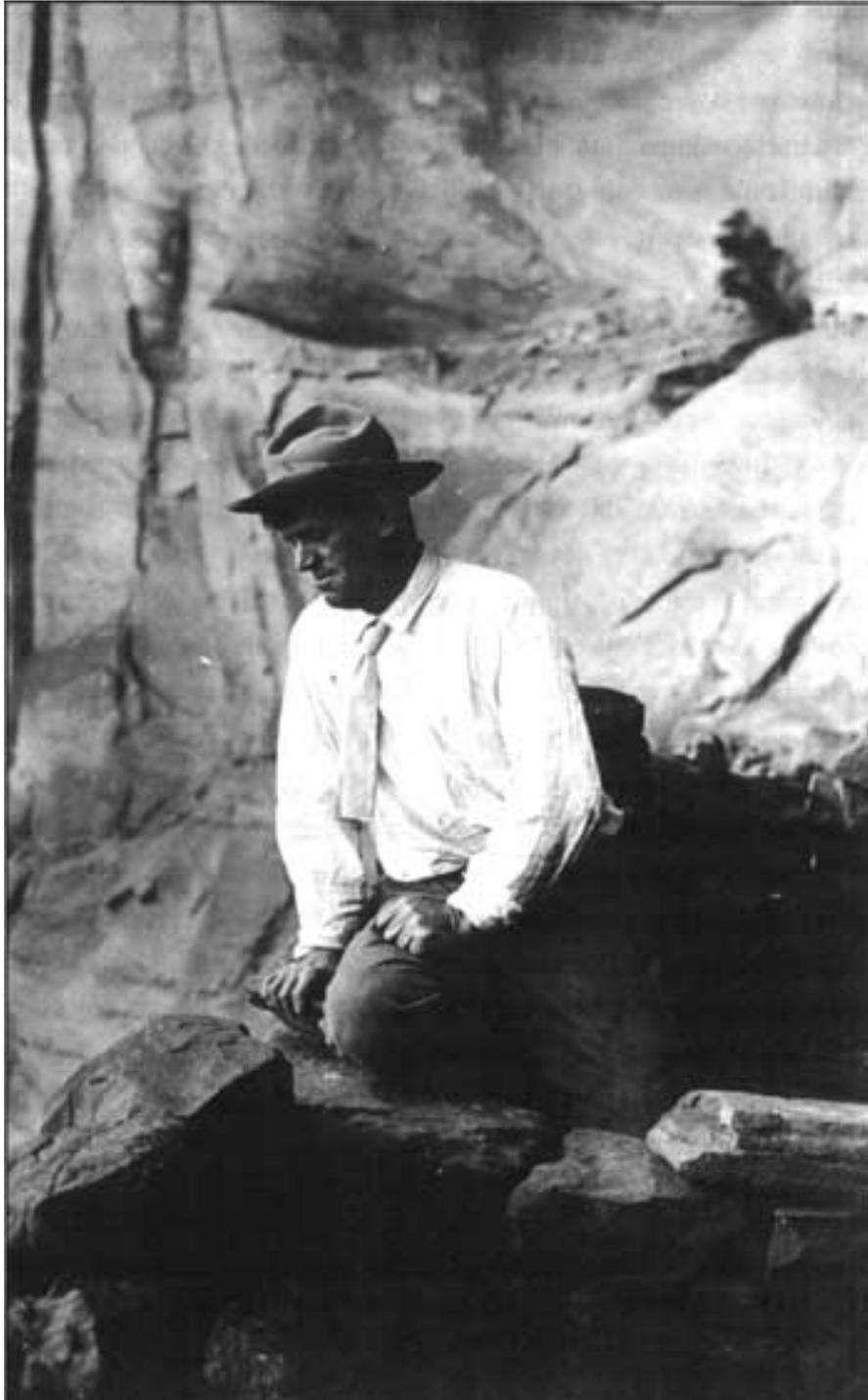


Figure 9 John Wetherill (Stuart M. Young Collection, NAU. PH.643.4.13, Cline Library, Northern Arizona University)

The push to legislate scientific preservation began in earnest at the beginning of the 20th century. Various organizations, such as the American Anthropological Association and the AIA, sought protective legislation that would prevent further export of Southwest Indian artifacts. Edgar Hewett and the AIA found an able supporter in Representative, John F. Lacey of Iowa. Lacey was known for his belief in the preservationist ethic and more importantly for his ability to translate that ethic into legislation. In 1900, Lacey introduced legislation to create a federal administrative entity responsible for managing America's national parks.

Though this bill was defeated, Lacey continued to fight for the protection of valuable scientific and natural resources. In 1901, he secured passage of the first comprehensive federal legislation designed to protect wildlife, the Lacey Act, which criminalized the interstate shipment of any wild animals or birds killed in violation of state laws.

After hearing about the high rate of artifact exportation in the Southwest, Lacey met with Edgar L. Hewett to discuss preservation of American archeological sites. At their meeting, Hewett presented a draft of legislation designed to prevent further unauthorized excavation of scientifically significant sites. The legislation also included language to authorize the President to protect such sites through executive order. With some modifications, Lacey introduced the bill to Congress. Other bills similar to Hewett's had been presented to Congress before. Western senators and congressmen had always killed these bills based on their dislike of any enlarged federal presence in the West. But Lacey managed to allay these fears with Hewett's bill. He assured western legislators that the bill's intent was to preserve significant but specific sites, such as Native American cliff dwellings, and would be applied selectively based on scientific rationales. In June 1906, Congress passed "An Act for the Preservation of American Antiquities." [80]

Known as the Antiquities Act, this legislation provided mechanisms to the President "to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with proper care and management of the objects to be protected." [81] The act required permits to be approved before archeological investigations could be undertaken inside the boundaries of a national monument. The criteria for designation as a national monument varied from location to location, but was based primarily on a site's scientific or historic uniqueness. The authorizing mechanism was also different from national park legislation, putting the power to preserve in the hands of the President rather than Congress. Federal agencies, private groups, or individuals could lobby the chief executive on a cause and effectively bypass the legislative system that encumbered the process of national park designation.

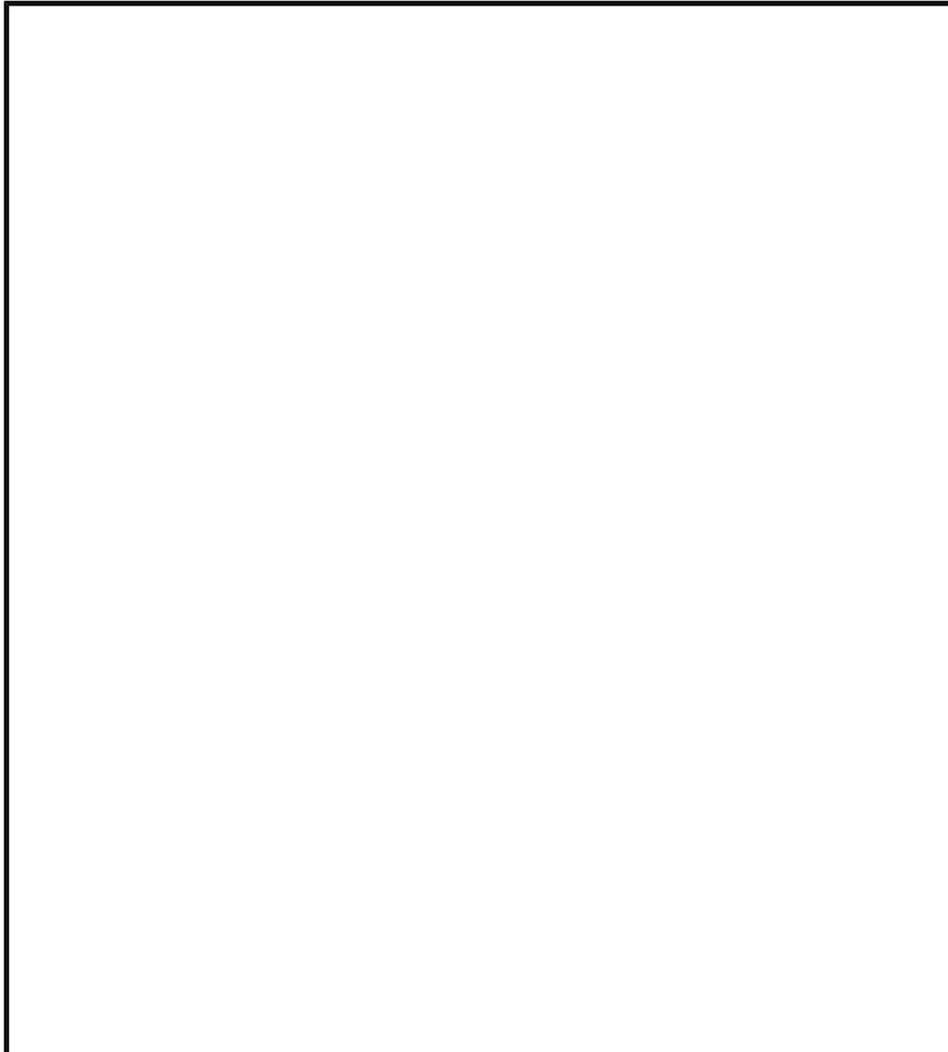
The first national monument, Devils Tower in Wyoming, was proclaimed by Theodore Roosevelt on September 24, 1906. By the end of 1908, Roosevelt had declared another sixteen monuments, including Gila Cliff Dwellings, Grand Canyon, and Natural Bridges. National monuments customarily remained under the management and supervision of the land management agency that controlled the land at the time of a monument's designation (e.g., the Forest Service, the War Department, etc.). One of those sixteen, Chaco Canyon National Monument, was designated in direct response to Richard Wetherill's homestead claim at Pueblo Bonito. [82] This did not stop Wetherill and others from expanding the search for archeological sites in the region. The non-professionals were not easily stayed.

It was not archeology alone that brought whites to the Rainbow Bridge area. Trade and goodwill played their parts in addition to exploration. By 1908, the American Southwest was still largely unexplored by whites. The area surrounding present day Rainbow Bridge was all part of the Navajo Reservation. During this period of archeological exploration in the Southwest, the Navajo were beginning to prosper economically. Utilizing "seed stock" obtained from the United States military, Navajo herdsman raised sheep in earnest between 1870 and 1907. Despite difficult winters in 1894 and 1899, reliable estimates placed the Navajo

sheep population in 1907 at 640,000 animals. [83] But the Navajo were trapped in the cyclic dependency of sheep herding. As available grazing lands reached maximum capacity, expansion in the region was limited. More and more sheep were being eaten, and less raw wool was being traded despite enormous herd populations all over the reservation. The Navajo were compelled to find another way to convert wool into revenue.

The trading posts that popped up during this period were not popular at first with Navajo elders, nor with herdsman that found them on the edges of their grazing lands. The Navajo were not tolerant of encroachment by whites so soon after confinement at Bosque Redondo. But trading posts offered a vector of economic exchange that was unavailable before. Navajo blankets and silver work, increasingly popular among Anglos, were sold at regional trading posts and made it possible for non-herding Navajos to improve economically. [84] Trading posts helped the Navajo economy to expand beyond agriculture and livestock. During this 20th century atmosphere of survival and expansion, John and Louisa Wetherill moved to Oljeto and set up a trading post on the Navajo reservation.

John and Louisa Wetherill were experienced traders. At their first outpost, known as Ojo Alamo and located near Pueblo Bonito, New Mexico, Louisa Wetherill befriended local Navajos and began learning the Navajo language. By 1906, Louisa was fairly fluent in Navajo and well acquainted with the culture and custom of local Navajos. [85]



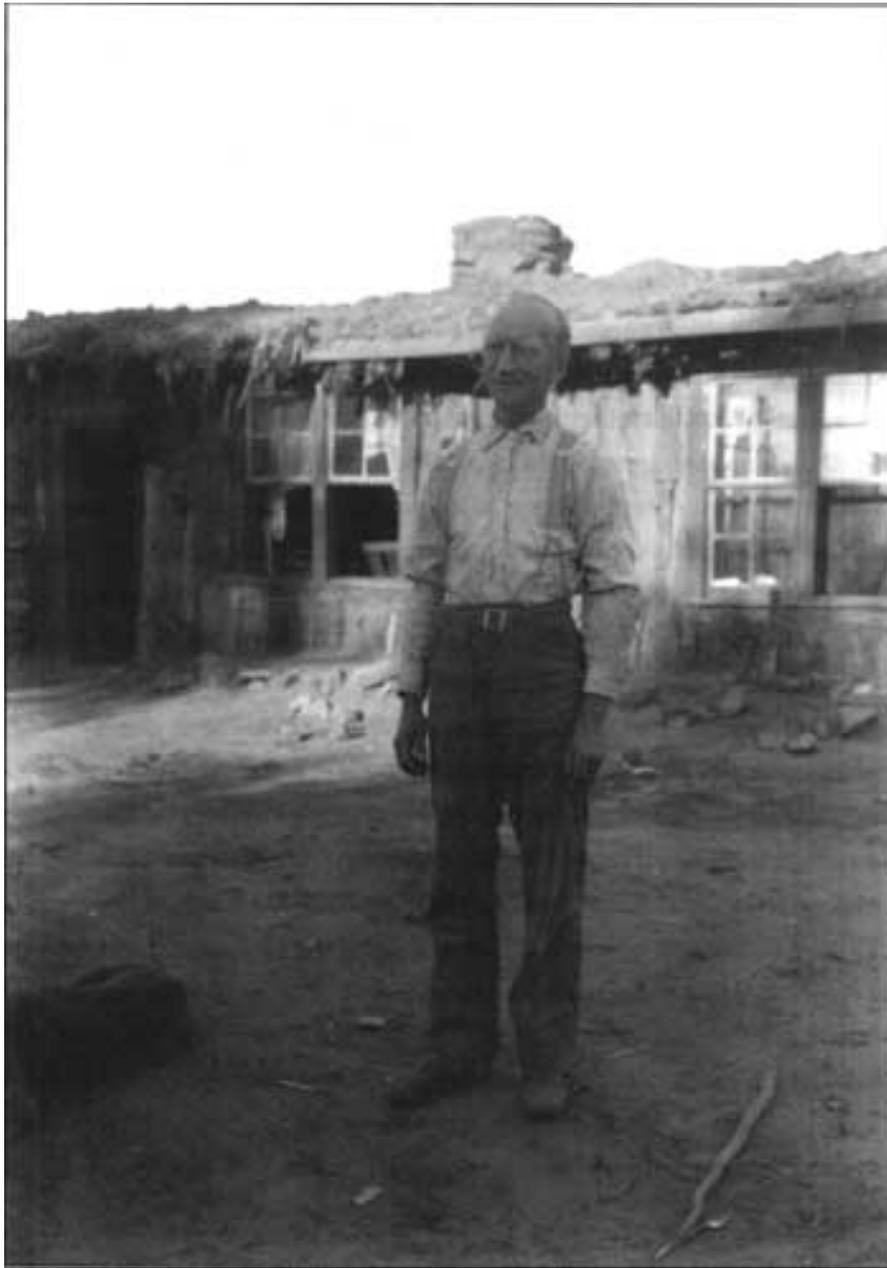


Figure 10 Byron Cummings (Stuart M. Young Collection, NAU.PH.643.45, Cline Library, Northern Arizona University)

In addition to running the trading post, the Wetherills tried their hand at wheat farming. Neither endeavor proved immensely profitable. Trading in the area was limited by numerous factors, and the years between 1904 and 1906 gave the Wetherills three successive wheat crop failures. During this period their family responsibilities grew with the birth of two children, Benjamin Wade and Georgia Ida. Opportunities at Ojo Alamo had run out. What brought the Wetherills to Oljeto was a combination of adventure, frustration with farming, and the desire to run a profitable trading post. The trading post business at Oljeto was built on good will. In March 1906, the Wetherills and their partner Clyde Colville, who had been with them since Ojo Alamo, feasted with two of the most respected leaders of the Navajo Tribe, Old Hashkéniinii and his son Hashkéniinii-Begay. The combination of respect shown to Navajo custom and Louisa's linguistic fluency

combined to endear the Wetherills to the local Navajo tribal members. In an area quickly attracting the attention of explorers and government officials, the Wetherills established a firm presence with the "keepers of the rainbow." [86]

Like his brother Richard, John Wetherill had a deep passion for archeology and the history of prehistoric cultures. Ever since the discovery of Mesa Verde, John Wetherill was fascinated by the past hidden in the sandstone of the Southwest. Over the years he collected an enormous amount of knowledge concerning regional ancestral Puebloan sites and developed an intimate relationship with local Indians regarding the whereabouts of unexplored sites. To support his financial needs as well as to satisfy his innate curiosity, John Wetherill hired himself out as guide and outfitter to individuals and institutions seeking artifacts of the southwestern past. It was in this capacity that Wetherill came into contact with both Byron Cummings and William B. Douglass.

Byron Cummings was a typical archeologist of the early 20th century. He came to the West from New York, accepting a position as professor of Ancient Languages at the University of Utah in 1893. By 1905 he was dean of the College of Arts and Sciences and a regular client of the Wetherills. Numerous trips in Utah's south-central desert intensified his love for archeology. He put together teams of students and semi-professionals every summer for romantic journeys into the canyons of Dinéah. Cummings was self-trained and extremely motivated toward exploring and excavating the various sites to which John Wetherill led him. These included Keet Seel, Inscription House, and Betat' akin, all on the Navajo Reservation. [87] In 1907, Cummings and his party generated a topographic map of White Canyon, Utah. The dominant features of the geography were three sandstone bridges, all larger than any previously mapped in the continental United States. After Cummings sent his map to the GLO in Washington, D.C., President William H. Taft declared Natural Bridges NM on April 16, 1908. [88] Cummings embodied the spirit of discovery still budding in American archeology. His concerns were with knowledge and the preservation of scientific data. He was little concerned with regulation or the government's place in the scope of "discovery."

William B. Douglass came to the Southwest as a representative of order and regulation, the twin themes of the Progressive Era. [89] Having worked his way up through the ranks of government service, Douglass was the epitome of the Progressive ideology. He was less concerned with the esoteric value of Native American sites or artifacts than with maintaining the integrity of the federal estate and enforcing the provisions of the Antiquities Act. Douglass believed that structures or artifacts located on federal land were federal property and were therefore subject to federal regulation. The Antiquities Act was a touchstone for Douglass: his reports to his superiors regarding the creation of national monuments at Natural Bridges, Navajo, and Rainbow Bridge were critical to their designations as protected space. Like many bureaucrats at the time working to preserve newly discovered Native American sites or unique geologic structures, Douglass still had a bad taste in his mouth regarding Richard Wetherill. The days of amateur excavation and collection were over and in the mind of a man like Douglass, any hint of their return demanded swift action. [90] Douglass knew that Cummings and Wetherill were in the Tsegi Canyon region and feared that without immediate protection, artifacts from the area would end up in various private museums or collections and the dwellings at places like Keet Seel would be permanently disturbed. In the spring of 1908, after the GLO received Cummings map of White Canyon, they sent Douglass to resurvey the area and define its boundaries more carefully. [91]

William Douglass learned of the possible existence of the great Rainbow Bridge from Mike's Boy, his Paiute axeman. If the bridge existed, Douglass's immediate concern was that site avoid despoliation by amateur explorers. Writing to his superiors, he said:

Mike's Boy [Jim Mike] says no white man has ever seen this bridge, and that only he and another Indian know of its whereabouts. This bridge is in, or near, the oil region; it will undoubtedly be discovered, and as surely located by some kind of claim. I have secured a promise that nothing be said of it until I have had time to learn the wishes of yourself on this subject. [92]

As a prudent government employee of the Progressive Era, Douglass's first concerns were focused on protection and regulation. Whatever his motivations after finding Rainbow Bridge, whatever his actions in the ensuing controversy, his initial consideration was to secure a place for the bridge within the federal estate where it could be managed and protected from all parties that could do it harm.

How Byron Cummings learned of the bridge is a more detailed story. In 1907, Louisa Wade Wetherill was on good terms with the local Navajo population at Oljeto. She had a reputation with her customers for fairness in trade and was considered a healer by many. Her fluency in the Diné language also improved her standing and her ability to gather information. Her maternal nature and stalwart demeanor endeared her to most of her acquaintances. In early 1907, a Navajo named One-Eyed Salt Clansman (Áshiihí bin áá' ádiní) had just returned to Oljeto from guiding a party of whites into the White Canyon natural bridges. [93] One-Eyed Salt Clansman knew of the Wetherills' passion for ancient places and people and inquired about this with Louisa. Author Frances Gillmor, in consultation with Louisa Wetherill, related the story of Louisa's knowledge of the bridge:

The One-Eyed Man of the Salt Clan came to Ashton Sosi [Louisa Wetherill, "Slim Woman"] with a question.

"Why do they want to go?" he demanded. "Why do they want to ride all that way over the clay hills to see just rocks?"

"That is why they go," Ashton Sosi explained. "Just rocks in those strange forms, making bridges. There is nothing like them anywhere else in the world."

The One-Eyed Man of the Salt Clan considered the matter.

"They aren't the only bridges in the world," he objected. "We have a better one in this country."

"Where is there a bridge in this country?" asked Ashton Sosi.

"It is in the back of Navajo Mountain. It is called the Rock Rainbow that Spans the Canyon. Only a few go there. They do not know the prayers. They used to go for ceremonies, but the old men who knew the prayers are gone. I have horses in that country and I have seen the

bridge." [\[94\]](#)

One-Eyed Salt Clansman died in the fall of 1907, before he could guide John Wetherill to the bridge. There are no sources that suggest why an expedition to the bridge was not mounted in the summer of 1907. Gillmor and Louisa Wetherill contend that in the early spring of 1908, Clyde Colville, partner to the Wetherills, employed Luka, Man of the Reed Clan, to guide Colville into the canyons north of Navajo Mountain. After crossing difficult creeks and canyons, Luka admitted he could not find the trail. Even after climbing the northwest slope of Navajo Mountain, Colville never managed to sight the bridge. [\[95\]](#) Rainbow Bridge remained hidden for a few more months.

In August 1908, the Wetherills informed Byron Cummings of One-Eyed Salt Clansman's story of the rock rainbow. Again, there is no explanation why the Wetherills waited until the end of Cummings' latest expedition to pass on this vital information. Nevertheless, Cummings and John Wetherill made definite plans for a summer 1909 expedition to find the bridge. But in the early winter of 1908, William Douglass appeared at Oljeto. That October, Douglass had received approval from the GLO to search for the bridge. He had arranged to meet Mike's Boy at Oljeto soon after breaking camp in Bluff, Utah. Douglass arrived at Oljeto on December 4, 1908. He intended to hire John Wetherill as an outfitter and use Mike's Boy as a guide. But poor supplies, bad weather, and the failure of Mike's Boy to arrive on time combined to cancel the trip. Wetherill also engaged in some slight subterfuge, trying to convince Douglass that Mike's Boy was either wrong about the existence of the bridge or misinformed about its location. [\[96\]](#) In the controversy which erupted after 1909 over who should receive credit for finding the bridge, Wetherill's ploy worked against him. Denying the bridge's existence to Douglass made it seem that any knowledge of the bridge flowed from Mike's Boy to Douglass to Wetherill. Wetherill vehemently denied this assertion in later years. Regardless, Douglass was undeterred by Wetherill's criticism of Mike's Boy and announced he would return the following year for another attempt. By extension, Wetherill knew in December 1908 that Douglass possessed knowledge of the bridge and would try to reach it as soon as the weather permitted. [\[97\]](#)

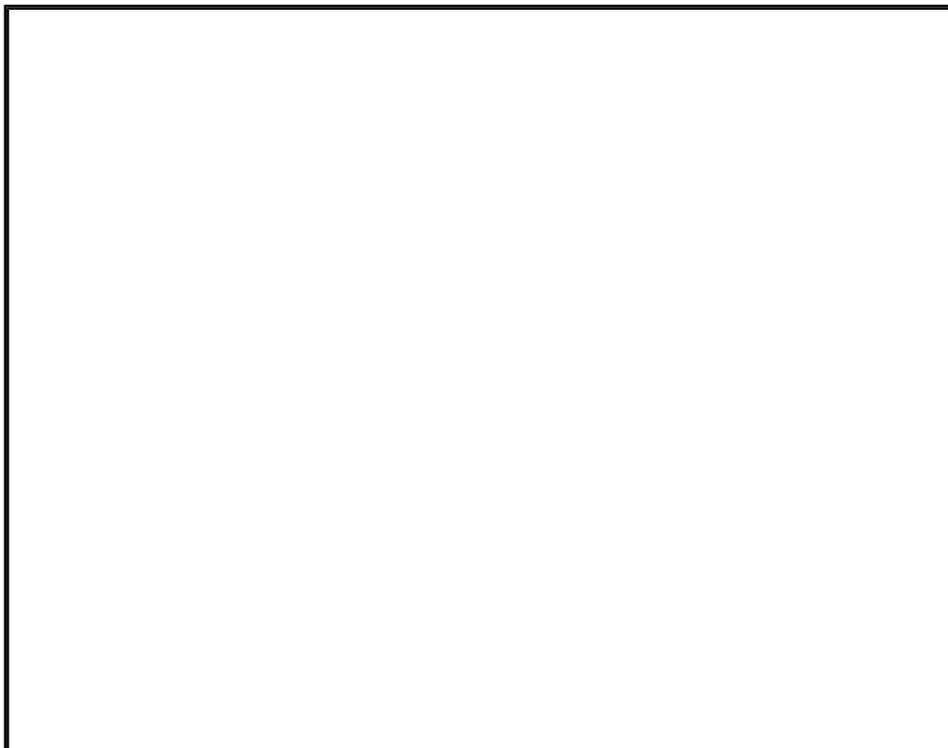




Figure 11 Louisa Wetherill (Stuart M. Young Collection, NAU.PH.643.4.14, Cline Library, Northern Arizona University)

In the winter of 1909, Louisa Wetherill made numerous inquiries of her trading post customers about the location of the bridge and about Indians who might serve as guides. She received an unexpected response in the early spring of 1909. Nasja Begay and his father, both Paiutes, came to do business at Oljeto. They claimed to have seen the bridge only months earlier while searching for stray horses. They agreed to guide the Wetherills to the bridge in the coming summer. [98] It was to be a busy summer for Cummings, Wetherill, and Douglass.

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Rainbow Bridge

Administrative History



CHAPTER 4:

Making It Work: Monument Development, 1910-1955

On May 30, 1910, President William Howard Taft issued a proclamation that designated the 160 acres surrounding the bridge as Rainbow Bridge National Monument (NM). Because the bridge was located on land administered by the General Land Office (GLO), the monument became the administrative responsibility of that agency. Before 1910, Rainbow Bridge enjoyed a quiet existence; after 1910, Rainbow Bridge was part of the federal system of land management and quickly became a contested space. This chapter focuses on elements of the monument's early development: administration, exploration, protection, and tourism. In the first few decades of the monument's official existence, there were numerous important scientific explorations of the region, various attempts to turn the monument into a national park, and organized efforts to promote the bridge's tourist potential. Between 1916 and 1955, Park Service employees as well as privately funded individuals spent more than thirty years trying to comprehend the vast resources of this relatively small monument.

Administering Rainbow Bridge NM between 1910 and 1916 was not a complex affair. Because of its remote location, there was very little official activity at the monument. The administrative responsibility for the monument fell to John Wetherill in 1910. Wetherill was already the custodian for Navajo NM and in good position geographically to add the responsibility of Rainbow Bridge NM to his duties. Without question, Wetherill knew the region better than anyone, and his intimate local knowledge proved beneficial to many monument visitors.

In 1916, Congress passed the National Park System Organic Act, which authorized the creation of the National Park Service (NPS). After 1916, NPS was responsible for the administration of Rainbow Bridge NM. Based on the remote nature of the monument, as well as its positive relationship with John Wetherill, the Park Service maintained custodial management of the monument under Wetherill. NPS also continued the practice of making Rainbow Bridge part of the managerial purview of the custodian or superintendent of Navajo NM. This administrative structure remained in place until 1964, when control of Rainbow Bridge NM was transferred to the superintendent at Glen Canyon NRA (see chapter 6). The specific duty of managing Rainbow Bridge NM involved very little before 1964. Visitation was so limited until the late 1950s that visitor impact was minimal; this translated into very little demand for maintenance. Custodians and superintendents from Navajo NM, along with Park Service rangers, made semi-annual trips to Rainbow Bridge. Most of the time the trips were two or three days long, during which time they performed trail maintenance, signage repair, and replaced the visitor register at the bridge. [\[141\]](#)

Rainbow Bridge NM also fell under another management umbrella. In 1924, the Park Service formed the

Southwestern National Monuments Office. Rainbow Bridge NM was part of a group of monuments under the administrative control of this office. The benefit to Rainbow Bridge was the Park Service's recognition of the need for more direct management control over remote locations such as Rainbow Bridge. As custodian, John Wetherill was made responsible to a local NPS administrator, Frank Pinkley, who had been Superintendent of Casa Grande NM since 1918. Pinkley was put in charge of fourteen national monuments throughout the Southwest region. Pinkley was a perfect choice, having worked his way up first with the General Land Office, and then NPS. The Park Service was not even ten years old at the time Pinkley began his administration of the Southwestern Monuments Group. In this capacity, "Boss" Pinkley (as he became known to his colleagues) fought an uphill battle for both recognition and adequate funding for his beloved national monuments. [\[142\]](#)

By 1927, Pinkley's monuments collectively attracted more visitors than Yellowstone on less than half of Yellowstone's budget. Pinkley often paid his own travel expenses and even went without salary at the end of the fiscal year to provide much needed repairs to various monuments. But Pinkley developed and grew as a park manager through good times and bad, always staying one step ahead of the new monuments being thrust under his care. At the time of his death in 1940, Pinkley administered 27 national monuments in four states. While Rainbow Bridge NM was part of this evolving rubric of regional control, local considerations and personalities continued to dominate the daily activity of the monument. The Southwestern National Monuments Group ceased administrative operation in 1957, just about the time that events at Rainbow Bridge became part of the national spotlight. But Pinkley watched over Rainbow Bridge with diligence during the sixteen years he administered it as part of the Southwest region. [\[143\]](#)

Despite the relative surety of NPS administration at Rainbow Bridge, the region that surrounded the monument was long contested in terms of ownership. Before Anglos came to the area in the middle of the 19th century, Rainbow Bridge and Navajo Mountain were claimed by Navajos, San Juan Southern Paiutes, and Hopis as part of their aboriginal homeland. The area was also on the fringe of territory claimed by numerous Native American tribes from southwestern Colorado. But with the Treaty of Bosque Redondo in 1868, the United States government was thrown into the mix of claimants on Rainbow Bridge. The status of the territory surrounding the bridge, an area referred to as the Paiute Strip, was in flux from the moment the Bosque Redondo treaty created the Navajo reservation. Even after the declaration of Rainbow Bridge NM, the status of the surrounding environs was not settled.

Originally the Navajo reservation was bifurcated by the Arizona-New Mexico state line. Its northern border was the Four Corners intersection and its southern border was only a few miles north of present day Window Rock, Arizona. From 1878 to 1934, the Navajo reservation was expanded by executive order ten times and by congressional act three times. Modifications to the reservation between 1878 and 1886 included the creation of the Hopi reservation in December of 1882, a section nearly as large as the original Navajo treaty reservation. The Hopi reservation was bounded on all four sides by the Navajo reservation. An executive order of May 17, 1884, by President Chester A. Arthur, added the portion of land known as the Paiute Strip. [\[144\]](#)

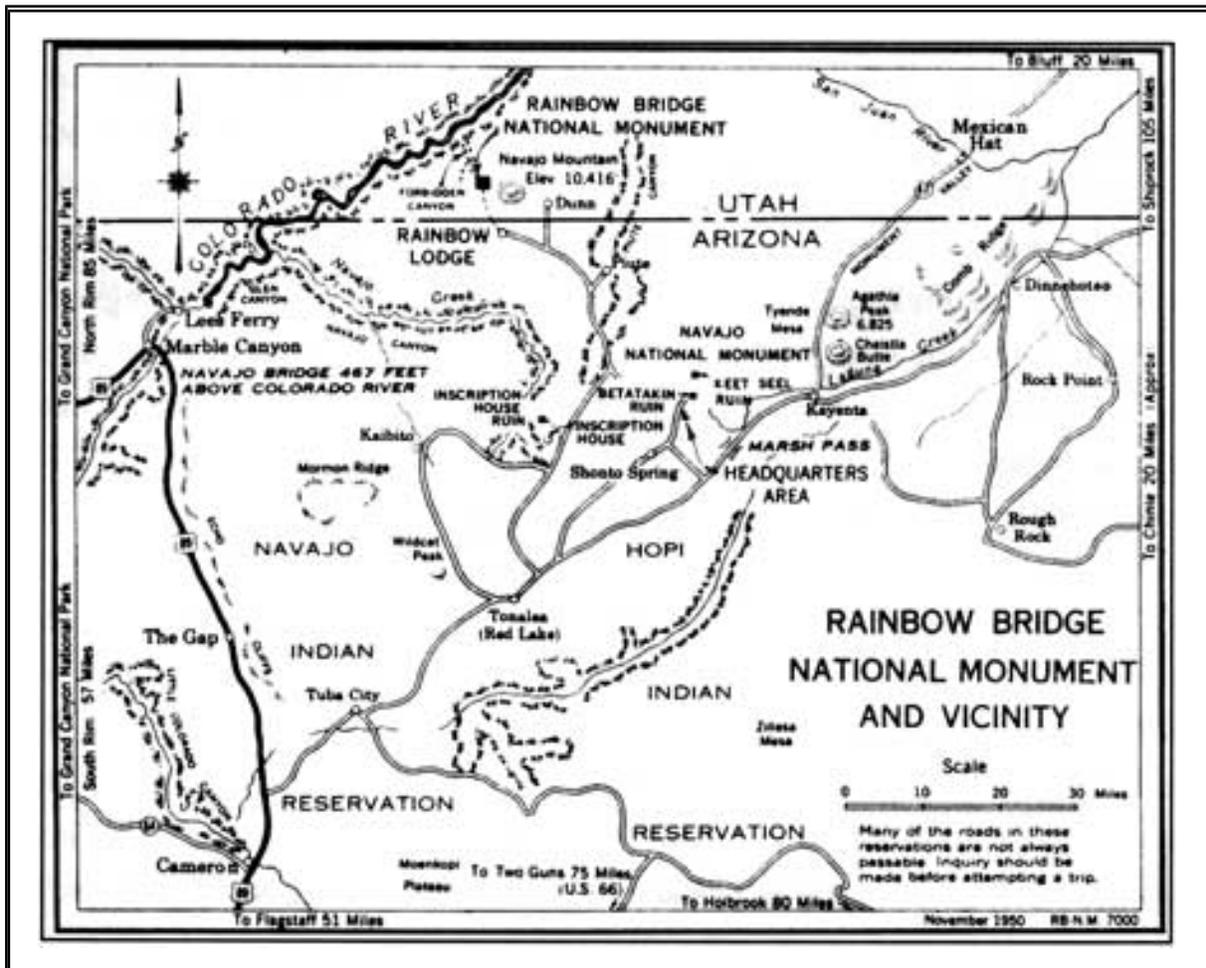


Figure 20 Rainbow Bridge National Monument and vicinity (From 1950 NPS brochure. Courtesy of Intermountain Support Office) (click on image for an enlargement in a new window)

The history of the Paiute Strip is an interesting odyssey. The Paiute Strip is the home of Rainbow Bridge. Its southern boundary is the Utah/Arizona border and its eastern border is the Utah/Colorado border, moving from Four Corners north to the point where the San Juan River crosses into the Colorado. The northern and western borders are created by the westerly flowing San Juan River, as it moves from the Utah/Colorado border north, then west, until it turns south and joins the Colorado River. Originally part of the 1884 addition to the Navajo reservation, President Benjamin Harrison returned 431,160 acres of the Paiute Strip to the public domain in November 1892. Historian Bill Acrey contends that prospectors had long desired to explore the region for its potential mineral wealth and in turn pressured the President to make the Paiute Strip available to mining survey. [145] However, in 1908, the expanding Navajo population of both people and sheep motivated Congress to withdraw the Strip for use by multiple Native American groups. During this period, the area was known as the Paiute Strip San Juan Reservation, although much of the prime grazing land was overrun by Navajo flocks. The San Juan Southern Paiute had long considered this area part of their ancestral homeland. But Navajo pressure for competing use was too great for the small band of Southern Paiute who made Navajo Mountain their home. The Paiute Strip reservation remained under the administration of the Western Navajo Agency until 1922. [146]

Unfortunately for the San Juan Southern Paiute, the reservation designation did not last. The San Juan

Southern Paiute were hit hard by an influenza epidemic in 1918. Over the next two decades their numbers were cut by seventy percent, from three hundred people to fewer than eighty. Cultural historian Stephen Trimble contends that a poorly informed agent from the Bureau of Indian Affairs visited the Paiute Strip in 1922. Seeing few Paiutes in the area, the agent informed his superiors of the situation. Within weeks, Secretary of the Interior Albert Fall bowed to Monticello, Utah mineral interests and returned the Strip to the public domain once again in 1922. Owing to pressure from local residents as well as the lack of any significant mineral discoveries, Congress returned the Paiute Strip (less the one hundred and sixty acres that comprised Rainbow Bridge NM) permanently to the Navajo reservation in 1933. [147]

With the monument established, exploration of its environs began in earnest. Despite the fact that Native Americans knew about the bridge for centuries, the rest of the country knew very little about Rainbow Bridge or its surrounding ecosystem. The Cummings/Douglass expedition revealed only the most rudimentary data about Rainbow Bridge and even less about the northwestern slope of Navajo Mountain. Before 1910, most of the exploration in the region focused on Tsegi Canyon and the many ancient Puebloan structures it contained. What waited for Anglos at Rainbow Bridge was a topography as diverse as any encountered previously, as well as evidence of early human habitation.

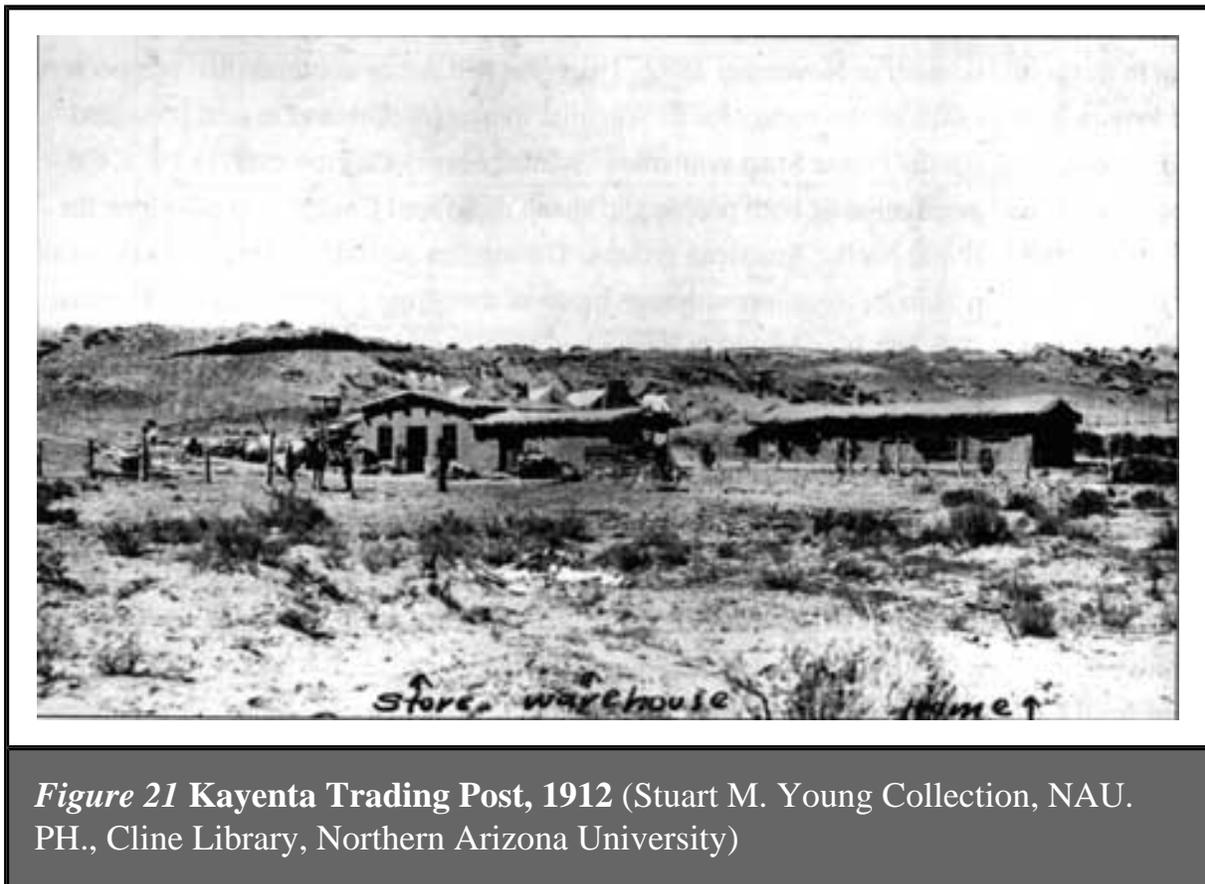


Figure 21 Kayenta Trading Post, 1912 (Stuart M. Young Collection, NAU. PH., Cline Library, Northern Arizona University)

The official life of the monument started slowly. In addition to the few scholarly articles published after the 1909 expedition, the early visits of notable men like Theodore Roosevelt and Zane Grey helped spread the word of the monument's stunning topography. Roosevelt and Grey both visited the bridge in 1913. In May of that year, Grey employed John Wetherill and Nasja Begay to guide him to the bridge. Grey was awed by the rugged state of nature that surrounded him. When Grey reached the bridge, he was dumbfounded. In his 1922 autobiographical collection of essays, *Tales of Lonely Trails*, Grey described Rainbow Bridge saying

". . . this thing was glorious. It absolutely silenced me." [148] Grey returned to Rainbow Bridge several times, his last trip occurring in 1922. He went on to include scenes from those excursions in many of his most famous books. *The Rainbow Trail* was Grey's fictionalized tribute to Rainbow Bridge. These accounts helped popularize the bridge with literate America at a time when visual mass media was still a futuristic concept.

Theodore Roosevelt was no less impressed by Rainbow Bridge. In August 1913, Roosevelt was in the Southwest doing the things he loved most: hunting and exploring. As one of the founders of the Boone and Crockett Club, Roosevelt thought of the Southwest as the last vestige of America's untamed wilderness. Roosevelt employed Wetherill as a guide and set out for the bridge around August 9, 1913. When he reached the bridge three days later (the trip to Rainbow Bridge was now a matter of following the trail for guides like Wetherill) Roosevelt felt the intense emotion of early explorers. In his published description of the experience, authored only a month after the trip, Roosevelt said that Rainbow Bridge ". . . is a triumphal arch rather than a bridge, and spans the torrent bed in a majesty never shared by any arch ever reared by the mightiest conquerors among the nations of mankind." [49] Despite the flowery prose, Roosevelt's impression of Rainbow Bridge inspired further exploration of the region. Roosevelt and Grey can be credited with popularizing what was then one of the most remote national monuments in the country. They certainly contributed to the reality of increased visitation at Rainbow Bridge, which doubled between 1913 and 1922 to over eighty visitors per year. But the immature fiscal and administrative structure of the National Park Service could not accommodate structural improvements to the monument, at least not by 1922. The early priorities of the Park Service involved the development of more popular destinations such as Yellowstone National Park. The extremely remote location of Rainbow Bridge limited its annual visitation, which hindered making the monument a budgetary priority.

John Wetherill also played a large role in the early popularization of Rainbow Bridge and its surrounding monument. After leading the first publicized expedition to the bridge in 1909, Wetherill's notoriety grew as the best man to guide people to the bridge. As the monument's first custodian, working under the supervision of the General Land Office, Wetherill was responsible for trail maintenance and bridge integrity (in addition to his own guide service). The role of custodian at monuments in the 1910s and 1920s was largely volunteeristic in nature. Called "dollar-a-year" men (based on the rate of pay extended by the federal government), custodians generally pursued their duties out of a personal love for the immediate surroundings and the desire to contribute to the monument's preservation. Usually custodians, like Wetherill, were chosen based on their strong ties to the local area and their inordinate knowledge of the monument's surroundings. This was definitely the criteria used in choosing John Wetherill to watch over Rainbow Bridge. Any conflict of interest that might have existed between Wetherill's position as custodian and his ownership of a private guide service was too small for the government to worry about. Wetherill was an excellent custodian and an even better guide. In 1909, barely two weeks after the August 14 discovery party, he guided the first woman, Helen Townsend, to the bridge, along with her brother Arthur. [150] For all the historical debate over his role in the history of the bridge, one fact remains incontrovertible: Wetherill brought hundreds of people to the bridge and helped spread the word of the Park Service's commitment to preserving the structure for future generations. This was the mission of the Park Service after it became the monument's managing agency in 1916, and Wetherill pursued that mission admirably.

John and Louisa Wetherill stayed at Oljeto until late 1910. In 1911, they moved south of Oljeto to

Todanestya, Arizona, which Wetherill renamed as Kayenta. From here they operated a guide service and trading post operation until 1924. During the Kayenta years, the Wetherills continued to increase the popularity of Rainbow Bridge. It was during the Kayenta phase that John Wetherill came into contact with Theodore Roosevelt, Zane Grey, and eventually Charles L. Bernheimer. From the Kayenta location, trips to the bridge could include stops in Tsegi Canyon and camps at Keet Seel and Betat' akin. The only drawback to operating out of Kayenta was its seventy-mile distance from the bridge. But, as the Wetherills were the only guide service for over a decade, this was little more than an inconvenience.

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Last Updated: 07-Feb-2003

Rainbow Bridge

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CHAPTER 5:

Issues and Conflicts I: Rainbow Bridge Religion and Navajo Legal Claims, 1863-1998

After Rainbow Bridge became part of the national park system, it was not long before it was caught up in numerous controversies. Immediately after the bridge was mapped and made a monument, members of the Cummings/Douglass expedition were embroiled in arguments over which white man saw the bridge first and which Paiute guide actually knew the way to the bridge. But the significance of Rainbow Bridge to certain Native American groups also became the subject of controversy. Given the historic presence of Native Americans near Rainbow Bridge, it was only a matter of time before the interests of Indian groups clashed with the interests of the monument's federal managers. While many peoples, such as the Hopi and the San Juan Paiute, considered Rainbow Bridge important to their origin stories, the most strenuous claims to the bridge's sacred status have been made by the Navajo Nation. These claims were eventually part of litigation that affected the way the National Park Service currently manages the monument. This chapter will detail the Navajo origin story as it pertains to Rainbow Bridge and identify the relationship between those beliefs and various lawsuits filed by the Navajo Nation to protect them. In addition, this chapter will explore the outcome of those lawsuits as pertains to NPS management policy at Rainbow Bridge.

While Anglo culture appreciated Rainbow Bridge for its aesthetic beauty and geologic uniqueness, Navajos have identified Rainbow Bridge as a sacred, religious site. They believe it is integral to the story of their emergence into this world. The ingress of Native American peoples to the Rainbow Bridge area provides some of the data to support Navajo claims to cultural and historical preeminence in the region. The hearth located at the foot of the bridge, excavated by Park Service archeologists in 1994, suggests a definite and early Native American awareness of the bridge. The non-secular cultural characteristics of these ancestral Puebloans also allows contemporary scholars to at least argue that the bridge was a source of worship during the last 1,500 years. But the incorporation of Rainbow Bridge in Navajo religious beliefs is more readily documented than suppositions concerning ancestral Puebloans. One of the problems associated with examining this subject is the set of academic standards in place that mitigates the veracity of Navajo claims on Rainbow Bridge. Too many historians demand a degree of quantitative proof that cultures who rely on oral tradition cannot provide. Neil Judd's comments in 1924 regarding the double standard of Anglo history were especially prescient with respect to Navajo religious claims on Rainbow Bridge.

Unfortunately, quantitative standards for proof do not mesh easily with the qualitative study of Native American religion. To understand the Navajo conception of the religious and cultural significance of Rainbow Bridge, one must make use of different conceptions about what merits belief and about what constitutes a legitimate belief structure. This is less problematic when coupled to the physical evidence that

verifies a long-standing Navajo cultural tradition at Rainbow Bridge. That evidence includes detailed oral histories that document a pattern of religious belief involving the bridge; detailed descriptions of a primitive altar at the base of Rainbow Bridge prior to 1930; and, physical evidence of early Navajo existence in the region. What is important to remember is that one need not agree with the tradition that involves Rainbow Bridge religion in order for that tradition to have merit to Navajos. Their beliefs are as circumambient to them as the air they breath.

Part of the larger Navajo origin story includes the importance of the four sacred mountains. When First Man (Áłtsé Hastiin) and First Woman (Áłtsé Asdzáá) emerged into the Fourth World they created the four sacred mountains. After the first four Navajo clans emerged from a subsequent global flood, they moved into the area bounded by these four mountains. This was the original Dinétah (Navajo country). Those mountains are recognized today as San Francisco Peak, Gobernador Peak, Mount Taylor, and Mount Blanca. Some scholars argue that the Navajo origin story reveals much about the ontology of the Navajo people. The importance of place and the relationship of place to spirituality is evidenced in the four sacred mountains. The full account of the origin story reveals dozens of place-specific episodes that can be recognized in modern geography. Every nation, the Navajo included, has found tremendous nationalist spirit in places and place-specific events. [203] The Navajo belief structure is one that cannot be separated from the natural world. Mountains, water, and various natural features imbue their religion just as edifices and geographies underpin Christianity, Islam, or Judaism. The Navajo origin story also informs their value structure and social organization. It is not hard to discern the Navajo desire for order and their devotion to clan-based politics from their story of the world's beginning. The fact that Navajos pray to certain gods and assign importance to the location in which those prayers take place only evidences their dedication to polytheism in the face of other people's commitment to monotheism. It certainly does not mitigate their value structure on a comparative level; after all, much of the world's current population is polytheistic.

For this administrative history, oral interviews with residents of the Navajo Mountain community were conducted to elaborate on the role of Rainbow Bridge in the origin story. These interviews revealed much of the common belief in Rainbow Bridge as an instrument of spirituality and religious significance. Most of the interviewees had lived in the Navajo Mountain/Rainbow Bridge area their entire lives, as had their parents and grandparents. The stories they shared form the basis of the traditional origin story detailed below. [204] In this account, the first people were born in the Black world, home to spirits and holy men. Áłtsé Hastiin (First Man) was born in the east out of a union between the white cloud and the black cloud. Born with him was Doo Honoot'ínii (the first seed corn). In the west, yellow cloud and blue cloud met and made Áłtsé Asdzáá (First Woman). She arrived with yellow corn, white shell, and turquoise. Cooperation was a virtue in the Black World, demonstrated by Insect Beings. Other beings also lived in the Black World, including Wasp People, Bat People, Ant People, and Spider Woman. But infighting and bickering led all these beings to move up to the Blue World. They carried with them all the evils of the Black World.

In the Blue World, beings from the Black World found new beings, including large insects, feathered beings, wolves, and mountain lions. After much quarreling, Áłtsé Hastiin conducted ritual prayers and feasts so all the beings could proceed to the Yellow World. In the Yellow World, there were six mountains and no sun. The original travelers also discovered snakes, squirrels, and deer. Unfortunately, Coyote came to this world with Áłtsé Hastiin and Áłtsé Asdzáá. In the Yellow World, Coyote caused problems. The inhabitants of this world watched as the clouds began to gather, first in the east, then the south, west, and north. The clouds came together and rain began to fall. The water rose all around them. They knew they must escape to the

Fourth World to avoid drowning. They planted many different tree species, hoping one would grow tall enough for them to climb up and escape the flood. After each tree proved too short, they planted a giant reed, which grew into the heavens. Locust volunteered to lead the group to safety. They moved up the hollow core of the reed to safety.

Unfortunately, Coyote decided to cause mischief during the escape. As Coyote watched the rising water, he noticed the child of Tééhooltsódii (Water Monster). Coyote decided he wanted to keep the child and raise it as his own. He took the child and hid him from Tééhooltsódii. In response, Tééhooltsódii made the waters rise up the reed behind the group, which threatened to drown everyone. The group pleaded with Coyote to give the child back to Tééhooltsódii. After pleading with Coyote four times, Coyote released the child. To appease Water Baby's parents, the group made offerings to Tééhooltsódii and the water receded enough for the group to escape. At this time, the Glittering World was inhabited by gods and spirits. There were no humans. Locust surveyed the land after emergence and found it covered with water. Big Horn Sheep dug canyons with his horns so the water could escape to the ocean. This is how canyons were formed. Locust then decided that fires should be lit so the gods would know of the group's presence. It was in this world that the first sweat bath was taken and the first hogan was built. The stars were placed in the great sky. In the Glittering World developed the seasons and the harvest. When the first emergents spied Navajo Mountain in the distance, they regarded it as the Head of the Earth.

It was at this point that two of the most important figures in Navajo religion appeared: the Hero Twins. After the first fires were lit, Áłtsé Hastiin and Áłtsé Asdzáá noticed tracks that led to the west. Part of the group decided to follow the tracks. The tracks were left by White Shell Woman's children, born to her after the Sun committed adultery with her before the emergence. These children are known to the Navajo as the Hero Twins: Naayéé' Neizgh'ní (Monster Slayer) and Tócaute; Bajícaute;sh Chini (Born For Water). To travel to the western oceans and visit White Shell Woman, the group used rainbows to cover great distances. As the group proceeded west, they encountered the many monsters and evil spirits that were byproducts of the Sun's adultery. After visiting White Shell Woman in the west, the group returned with the Hero Twins, hoping they would grow up to battle the monsters and evil spirits.

Once they had returned to the Navajo Mountain area, holy men from the group placed the magic rainbow in the safest place they could: Bridge Canyon, below Navajo Mountain. The rainbow then turned to stone. Monster Slayer and Born For Water were raised in the cradle of Bridge Creek and the stone rainbow formed the protective handle of their cradle board. After they reached maturity, and discovered the Sun was their father, they traveled to visit him. They used the rock rainbow to ease their journey. The Sun tested his sons thoroughly during their trip and rewarded each of them with a weapon so they could battle the monsters. To Monster Slayer the Sun gave Lightning That Strikes Crooked. Born For Water received Lightning That Flashes Straight. The twins returned home and defeated most of the monsters. The monsters that were allowed to survive personified old age, lice, hunger, and death.

Monster Slayer and Born For Water went again to visit with the Sun. This time, the Sun gave them gifts from the four directions. In exchange for giving them these gifts, the Sun received the ability to destroy all beings who lived in houses. This was very important as many of the surviving monsters were children of the Sun. The Sun precipitated an immense flood which covered the earth and destroyed most living things. The Holy People saved one man and one woman and pairs of all the animals. In the wake of the flood, Asdzáá Nádleehé (Changing Woman) established the first four clans: Kiiyaa'aanii (Towering House), Honágháahnii

(One Who walks Around You), Tó Dích'í'nii (Bitter Water), and Hashtl'ishnii (Mud). The four clans settled inside the area bounded by the four scared mountains.

All of the residents of the Navajo Mountain community interviewed for this administrative history detailed the same origin story. The only deviations that occurred were in the minute details that some respondents were hesitant to reveal. These people consider those details part of their identity as a people and therefore not open to public consumption. The Navajo are still very much an oral culture. The lessons contained in the entire origin story are meant to serve as lessons for Navajo children. What specific substances were offered to which gods or the details of various ceremonies are told from Navajo parents and grandparents to Navajo youth, not to whites or other interested parties. The Navajos interviewed for this history spoke often about cultural ownership and identity regarding their stories. But Anglo misunderstanding of Navajo life ways has a long history.

The clan-based Navajo socio-political structure was at odds with Anglo (mis)conceptions of Native Americans at least as early as the 19th century. Navajo tribal historian Bill Acrey, tracing the development of the modern Navajo nation, found that the initial contact between Anglos and the Diné was laden with the classic repugnance of Anglo attempts to mold Navajos into yeoman farmers. [205] In the period between 1846 and 1860 there were more than five separate treaties of peace, all initiated by United States military commanders in response to livestock and slave raiding conducted by the Diné. Each of these treaties contained some provision which demanded Navajos stop raiding and embrace the farming ethic of the expanding United States. The lack of cultural understanding on the part of military personnel led to the demise of every treaty. For example, the Treaty of Ojo del Oso in 1848 forbade the Diné from raiding into New Mexico settlements because the United States was no longer at war with the Mexicans. This made no sense to Diné leaders because the Diné believed that an enemy was always an enemy regardless of political climate. American treaty negotiators continually made the assumption that there was some central form of leadership among the Diné. American military personnel assumed that those Diné leaders who signed the various treaties represented all the Diné. Nothing could have been further from the truth. The Diné signatories knew that they only represented their individual bands and that those bands not represented in signature on the treaty would never abide by its terms. These were just a few of the cultural misunderstandings that occurred between 1846 and 1860.

In 1863, the enmity that had formed between the Diné and the U.S. military culminated in the Bosque Redondo War and the military defeat of the Diné. Leading a scorched earth campaign, Kit Carson brought the Diné to their knees by late 1863. At that point, all the Diné that could be rounded up were marched through the winter months and incarcerated at the Bosque Redondo reservation, located at the newly erected Fort Sumner. The Diné endured four years of starvation and disease but persevered to a palatable solution. In 1868, the Diné successfully negotiated the Treaty of Bosque Redondo and were allowed to return to their ancestral homelands. The red rock mesas and canyons that the Navajo returned to formed the original Navajo reservation. In addition, the treaty stipulated that livestock would be returned to the Diné. As a result of both perseverance and excellent husbandry techniques, Navajo and livestock populations increased every year after the incarceration at Fort Sumner.

In every region of the Navajo Nation's current geography, the origin story has its permutations. To the western Navajo, Rainbow Bridge and Navajo Mountain are an integral part of the origin story. Both

locations are also key elements in various ceremonies conducted by Navajo singers or medicine men. There have been numerous attempts to document the role of Rainbow Bridge in Navajo religious belief. In the early 1970s, when Lake Powell waters started encroaching on the bridge, a group of Navajo singers filed suit to protect their religious freedom. The specific claims of that suit are dealt with later in this chapter. As a result of the suit, however, a stunning piece of oral history was collected. In an effort to put into writing what had long been oral culture and custom, a group of Navajo singers provided their oral histories to Karl W. Luckert, an ethnohistorian from the Museum of Northern Arizona. [206] The result was a sincere attempt to do justice to the Navajo tradition involving Rainbow Bridge in a form that non-Navajos would see as legitimate.

Like most ethnohistorians, Luckert tried to place the religious significance of Rainbow Bridge and Navajo Mountain in the proper historical context. For many of the Navajo singers interviewed as part of Luckert's project, Rainbow Bridge and Navajo Mountain were considered sanctuary from the ravages of Kit Carson's campaign against the Diné. At the time, many Navajos still held fresh memories of tribal experiences with the United States military and of the incarceration at Fort Sumner. But there were many Navajos who eluded Carson and avoided Fort Sumner altogether. Those Navajos hid in the numerous canyons of northern New Mexico and southern Utah. In addition to the role of the bridge in Navajo emergence, the added element of sanctuary endeared both Navajo Mountain and Rainbow Bridge to contemporary Navajos. It was in those terms that Luckert's interviewees figured Navajo Mountain and Rainbow Bridge as key fixtures in the story of Monster Slayer. The Navajo people refer to their sacred mountain in the northwest of their reservation not as "Navajo" Mountain but as Naatsis'áán (Earth Head). [207]

In the oral histories collected by Luckert, all the interviewees told basically the same story with regard to Navajo Mountain and Rainbow Bridge as those stories collected in 2000 for this administrative history. The origin story that was taught to Navajo singers included Navajo Mountain and Rainbow Bridge. That story also included the modern details of a group of Navajos attempting to evade the United States military. Fleeing Navajos perceived the fortuitous location of Navajo Mountain as a sign that their gods were watching over them. They perceived the canyons of the region to be gifts from Head of Earth. Whatever their motivations or proclivities, the fact is that all Navajo singers interviewed by Luckert couched their origin story in the benevolence of Navajo Mountain and the peculiar beauty of Rainbow Bridge. Each interviewee recalled in some form that in the days when humankind was born, Monster Slayer was transferred and born and raised in Bridge Canyon. When the Navajo were threatened, Monster Slayer (clothed in an armor of flint) and the Head of the Earth placed themselves as shields between the Navajo and Kit Carson. This event still echoes in the formalized Protectionway prayers of contemporary singers. [208]

Dozens of ceremonies were and still are conducted at Rainbow Bridge. The most common ceremonies conducted there during the period of Luckert's interviews were Protectionway, Blessingway, and rain-requesting. [209] In a 1974 affidavit filed as part of a larger suit to remove Lake Powell waters from Bridge Canyon, Navajo singer Nakai Ditloi recounted the tradition of Navajo Mountain and Rainbow Bridge:

I have conducted countless religious ceremonies and sings throughout the area surrounding Rainbow Bridge and Navajo Mountain. Rainbow Bridge is extremely sacred to the Diné, as are many of the sites and much of the area surrounding the Bridge. The water from the lake has already entered the Canyon of the Rainbow Bridge and has covered the grounds sacred to

the Diné.

When the Diné were emerging from the east they stopped at a large mesa near Navajo Mountain to make a home on the mountain for Lageinayal. He is the god who was given lightning to create rain. His name means "came into being one day." In gratitude for his home on Navajo Mountain, Lageinayal promised to protect the Diné and look after their well being. Sometime later, a group of the Diné left this home with a god named Danaiize. He has the power to create and to travel on the rainbow. The Diné reached a canyon which they could not cross. Danaiize told them he would create a rock rainbow which would be a bridge for the Diné. It was in this way that the Diné were able to cross the Canyon of the Rainbow Bridge. [\[210\]](#)

Much of this interpretation is confirmed in the oral histories collected by Luckert. Floyd Laughter, another Navajo singer, recounted that "the Rainbow was left for prayer and offerings to the power of the Holy People." This account was echoed by other interviewees as well. [\[211\]](#)

There was another common understanding among various interviewees regarding Rainbow Bridge: the existence of a "sacred" spring below the bridge in Bridge Canyon. In 1974, Nakai Ditloi detailed for the courts his recollections of the spring and the specific ceremonies that were performed there:

There is a cave down the canyon from Rainbow Bridge. Medicine men come from all over the reservation to meet in this cave. There is also a sacred spring in the canyon near the cave. It is called "clear body male and female water." Its water is used in the prayers and to wash the sacred bundles of the medicine man. Ground turquoise and shells are given to the spring to aid in the prayers from rain. Prayers are renewed and knowledge of the earth and the ways of the Diné is increased when the medicine men come to the cave. [\[212\]](#)

All of Luckert's interviewees confirmed the existence and location of this spring. Floyd Laughter also remembered the spring as where Spring Person lived. It was located at the base of the slope of Rainbow Bridge. It was there that singers said prayers for wealth, for livestock, for jewelry. They also conducted raiding prayers and protectionway ceremonies at this sacred spring. [\[213\]](#)

The other detail that most Navajo singers agreed on was the identity of the Navajo man who first brought them, or their fathers, knowledge of the bridge. His name was Áshiihí bin áá' ádiní (Old Blind Salt Clansman or Old Hashkéniinii). This was the same man who told Louisa Wetherill about the bridge in 1907. It was Áshiihí bin áá' ádiní who helped many of the 20th century singers with the rites associated with Rainbow Bridge. The one obvious problem with Luckert's interviews was the misconception that Navajos did not arrive near Navajo Mountain until the 1860s, being chased there by Carson. Nothing could have been further from the truth. Celone Dougi, Áshiihí bin áá' ádiní's granddaughter, was interviewed for this administrative history in 2000. She said that her grandfather had always been here, along with many other Navajos. Most of the Navajos and Paiutes interviewed for this administrative history were able to recount a long lineage in the Navajo Mountain area, remembering relatives born near the mountain as far back as the 1820s. But what is important is that most Navajo singers and other residents from the region credit Áshiihí bin áá' ádiní with both early knowledge of the bridge and its associated religious rites. [\[214\]](#)

It is unlikely that Navajos were the only people to find religious significance in the bridge. A fair argument can be made that early inhabitants of the region found the bridge and likely prayed there. The existence of the hearth excavated at the foot of the bridge (see chapter 2), the proximity of ancestral Puebloan dwellings, and the number of other pre-Puebloan sites a short distance from Bridge Canyon makes it likely that early inhabitants of the region found the bridge. Besides the oral tradition of Navajo religious beliefs involving Rainbow Bridge, there is other, albeit limited, physical evidence of religious worship at the bridge.

After the Cummings/Douglass expedition reached Rainbow Bridge on August 14, 1909, members of the party fanned out to explore the immediate vicinity. Cummings observed a small "fire shrine in the shadow on the bench at one side." [215] The details of the location are important in their comparative value. Cummings' observation put the shrine on the north side of the bridge, which would have been shadowed by a noon sun climbing into the sky above Bridge Canyon. Judd reported seeing the same shrine. He wrote that "near the down-curving buttress, but slightly to one side, is a small heap of stones inclosing a slab sided receptacle, the altar of cliff dwelling peoples who roamed this canyon country long before the Navaho [sic] won it for themselves." [216] William Douglass made a similar note. He reported that "almost under the arch, on the north side of the gulch [was] the wall of some small prehistoric structure in front of which slabs of sandstone set on edge outline an oval 3x5 feet an altar . . ." [217] Temporal and cultural observations aside, the consistency in these descriptions allows some suppositions to be made regarding the non-secular traits of early inhabitants of the region and the possibility that they worshiped near the bridge. Before 1930, other travelers to the bridge noted the stone altar as well. Notable among these visitors was Theodore Roosevelt. He described what he saw as "the ruin of a very ancient shrine." [218] It seems clear that before the 1930s, when someone or something destroyed the altar-like structure, Rainbow Bridge was used as a worship site.

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CHAPTER 6:

Issues and Conflicts II: Rainbow Bridge National Monument and the Colorado River Storage Project, 1948-1974

One of the most important developments of the 20th century involved the numerous debates and struggles over environmental issues. Indeed, the modern concept of "environmentalism" was forged in the middle part of the century. Environmental issues ranged from protecting the Hetch Hetchy Valley to the use of pesticides to the evolution of urban smog. In the American West, water was the core of a multitude of conflicts. Some of these disputes centered on development schemes involving the Colorado River and one in particular affected Rainbow Bridge NM. The Colorado River also framed the evolving conflict between utilitarian conservationists and strict preservationists. Developing the river begged the question of how public lands under the control of the National Park Service should be managed. Were they meant to be enshrined for permanent preservation or could their status be fluid in comparison to the larger demands of the Upper Colorado Basin states? Plans to develop the Colorado also problematized the role of the Secretary of the Interior. He directly managed two federal agencies the National Park Service and the Bureau of Reclamation who were at odds in their plans for the Colorado. Controversy over developing the river, thought settled with the signing of the Colorado River Storage Project Act in 1956, emerged again in southern Utah during the 1960s at Rainbow Bridge NM. For over a decade, "Save Rainbow Bridge" was the battle cry of environmental groups and an unforeseen glitch in the larger matrix of western water and land management.

During the late 19th and early 20th century, the idea of preservation became part of an evolving ethos in land resource management. The byproduct of this preservationist impulse was legislation that allowed for congressionally approved national parks and presidentially designated national monuments. These new edifices were designed to protect scenic and natural resources as much as possible. Many federal managers hoped that national park or national monument status would avoid most of the conflicts over resource utilization. Preservationists, such as John Muir, asserted that the resources inside the borders of any national park or monument were legally fortified against any encroachment. Until 1913, the preservationist belief in this sacrosanct designation had not been tested. In that year, preservation came under fire at California's Yosemite National Park.

In search of better access to more water, the city of San Francisco lobbied federal officials to construct a reservoir in Hetch Hetchy Valley, which was located inside Yosemite's boundaries. The city's leaders wanted to avoid another disastrous fire like the that of 1906, when most of San Francisco burned to the ground for lack of an adequate water supply. City planners saw their solution in Hetch Hetchy Valley. Since very few people visited that part of Yosemite, San Franciscans argued that the scenery might actually be

improved by a pristine reservoir. John Muir, founder of the Sierra Club, saw the issue differently. The existence of a national park system was the precedent for preservation and the most viable argument against damming Hetch Hetchy. Despite the belief by some that the valley would not suffer any significant loss of beauty or quality, the integrity of all national parks was at stake in Hetch Hetchy, according to Muir. In the end, Muir's belief in national parks as sanctuaries was weighed against the water needs of San Francisco. A reservoir was constructed at Hetch Hetchy and the valley was inundated in 1913. [249]

The controversy over Hetch Hetchy inspired a more philosophical debate, one which had quietly been forming all over the resource laden West. What did Americans value as resources? Traditionally the answer was hard resources such as minerals, timber, and petroleum. But like federal agencies, Americans were also going through changes in their outlook. They were adopting new value structures at the same time that they were prospering in the workplace. Across the economic spectrum, people valued space and recreation as much as revenue and profit. The controversy over Hetch Hetchy revealed a new demand for protected and preserved space. To this end, Congress passed the National Park System Organic Act on August 25, 1916. In addition to authorizing the creation of the National Park Service, the act contributed new language to the dialogue over preservation and development.

In part, the Act stated that the Park Service had a specific mandate. In its "statement of purpose" the Act declared that the *a priori* purpose of a national park was to "conserve the scenery and the natural and historic objects . . . and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." [250] This language became important to preservationists and their struggle for park and monument sanctity; however, national monuments like Rainbow Bridge were not necessarily protected by the strict language of the law.

The issues of explicit concern to western states during the 1940s and 1950s involved determining which states owned what portion of the Colorado River, the distribution of its water, and the desire to reduce the loss of any unused water. The 1960s controversy over Glen Canyon Dam and Rainbow Bridge NM actually began in 1922 with the signing of the Colorado River Compact. The states bordering the Colorado River were growing rapidly by the 1920s. Los Angeles, California, expanded more than any other city in the West during this period. Severely pressured by an exploding population, southern California needed huge reserves of water to sustain continued development. The Los Angeles Municipal Water District, under the direction of William H. Mulholland, had already "acquired" all the water it could from its northern neighbors in the Owens Valley. But they needed more. California legislators lobbied successfully for the Swing-Johnson Bill, which authorized Boulder Dam on the Colorado River. Given Los Angeles' notorious history in water politics, the rest of the Colorado River basin states feared that California would co-opt all the available water from the Colorado. This was a legitimate fear in light of the western water right doctrine of prior appropriation.

The doctrine of prior appropriation held that whoever first developed a water source for beneficial use held permanent rights to that water, hence the phrase "first in time, first in right." In 1922 the Supreme Court codified this doctrine in law in *Wyoming v. California*. Delegates from all the basin states embarked on a series of negotiations to develop a system of water allocation that was equitable to all the states that bordered the Colorado. After nearly a year, the Colorado River Compact was signed. The basin was divided into the Upper and Lower Basins, with Lee's Ferry, Arizona as the demarcation point. [251] The Upper

Basin states were New Mexico, Colorado, Utah, and Wyoming. The Lower Basin included California, Nevada, and Arizona. The only state that did not ratify the Compact was Arizona, which was still afraid of California's consumptive nature. Arizona delegates knew that the Compact only protected Arizona from the Upper Basin states and said nothing about California appropriating Arizona's water rights. Regardless of Arizona's hesitation, Congress approved the Compact for the six signatory states in 1928, and construction on Boulder Dam began in 1931. As a result, the Colorado River was regulated in both law and practice. But California's voracious appetite for water loomed large in the minds of Upper Basin state leaders. How were they going to be sure their allocations from the Colorado were secure? The only answer was to develop the river through a system of dams to the benefit of the Upper Basin. [252]

The controversy over Rainbow Bridge and Glen Canyon Dam blossomed alongside the plans to develop the upper reaches of the Colorado River. Immediately following World War II, the nation teemed with returning veterans. Part of President Truman's "Fair Deal" involved federally sponsored development projects which put many of those veterans to work. The Colorado River Storage Project (CRSP) was the byproduct of the post-World War II fever to develop natural resources coupled with the Upper Basin states' needs for secure water rights. The Bureau of Reclamation proposed that it and the Upper Basin states construct a series of dams along the Green, Yampa, and Colorado Rivers. Two of those dams were of particular import to the story of Rainbow Bridge. At the southern end of the chain were plans to dam Glen Canyon, then an obscure and seldom visited series of canyons just north of Rainbow Bridge. At the northern end was Echo Park Canyon. The dam at Echo Park was planned for a stretch of canyon inside the boundaries of Dinosaur National Monument (NM). Dinosaur NM was authorized in 1915 but was expanded to over 200,000 acres by presidential proclamation on July 14, 1938. The expanded area included the confluence of the Green River and the Yampa River the proposed site of Echo Park dam. [253]

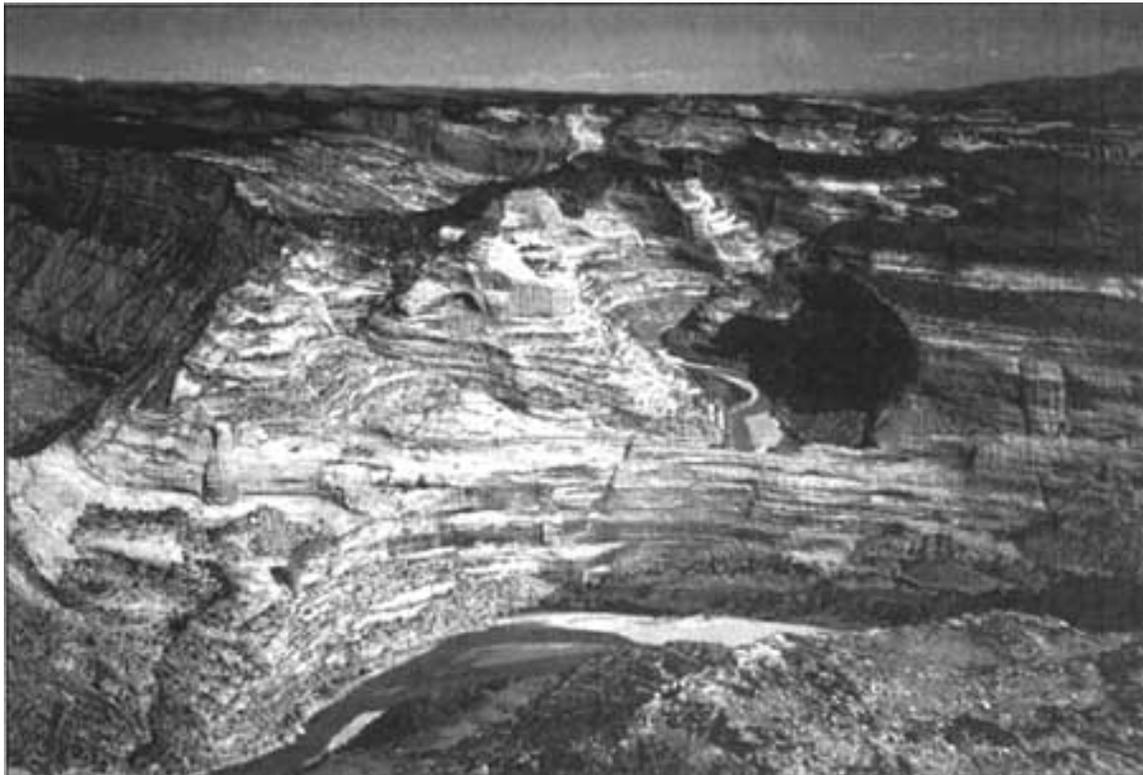


Figure 25 Echo Park Canyon (Alex and Dorothy Brownlee Collection, NAU. PH. 93.37.20, Cline Library, Northern Arizona University)

Using the defeat at Hetch Hetchy as their battle cry, preservation groups rallied around stopping Echo Park. David Brower, then executive director of the Sierra Club, and Olaus J. Murie and Howard Zahniser of the Wilderness Society, launched a public relations assault on federal and state leaders. Letter writing campaigns, books featuring Dinosaur NM, and direct pressure wherever possible were the weapons of the new environmentalism. The issue was the same at Echo Park as in Yosemite decades before: preservationists believed that the integrity of the national park system hinged on keeping every possible unit free from commercial or civic resource development. Brower, Murie, and Zahniser were not alone in their fight. NPS Director Newton P. Drury adamantly opposed building dams inside national monuments. But the CRSP was a foregone conclusion to Michael Strauss, then Commissioner of the Bureau of Reclamation. [254] Strauss actively pursued the favor of Secretary of the Interior Oscar Chapman, and Chapman's successor, Douglass McKay. The administrative pressure to complete the CRSP in some form was too great for Drury. He resigned in early 1951. [255]

After Drury's resignation, Arthur Demaray became Director the Park Service. Demaray's position on the CRSP was dictated by his professional commitment to the Secretary of the Interior. Whatever his personal opinions on reclamation projects might have been, Director Demaray wanted the Park Service to be part of Interior's larger plan for western water management. The infighting of to the previous directorate was not part of Demaray's leadership. Conrad L. Wirth, Demaray's successor, expressed much the same tone. While Director Wirth opposed Echo Park dam, he followed Secretary Chapman's instructions to forbid NPS employees from publicly criticizing the CRSP or any of its provisions. Even in 1955, when the Echo Park unit of the project was in serious jeopardy, Wirth made it plain to all Park Service personnel that he would not tolerate their criticism of either the CRSP or the Secretary's policies related to reclamation in general. [256] Some historians have made the judgement that this policy line constituted apathy by the Park Service, abrogating responsibility for derailing Echo Park Dam to environmentalists. On the contrary, the decisions made for the Park Service by the Secretary of the Interior during this controversy demonstrates how complex the playing field was for various federal agencies. The Secretary was faced with balancing the competing missions of two agencies under his direct charge, with Reclamation dedicated to resource development and the Park Service committed to resource protection. [257] This complexity played out in the Director's decision to join forces with Reclamation in the attempt to protect Rainbow Bridge from encroachment by Lake Powell.

For the next four years preservationists waged all-out war against everyone who supported the CRSP: state leaders from all the Upper Basin states, Reclamation and Interior officials, and every key member of Congress. Under the direction of the Sierra Club and the Wilderness Society, as well as the newly formed Council of Conservationists, the campaign was grass roots. In truth, popular support for the Echo Park Dam among Colorado and Utah residents was deep and widespread. But Upper Basin legislators were attacked from extra-regional directions as the campaign against Echo Park Dam went national. The Sierra Club and the Wilderness Society solicited pressure from all of their members. Residents of states as geographically diverse as Wisconsin, Washington, and Alaska voiced their opinions about an environmental issue that was totally removed from their own local concerns. [258] In the fight over Echo Park, environmentalism

blossomed into a philosophy that did not depend on geographic proximity for its moral suasion.

As pressure mounted against building all the projects in the proposed CRSP, Brower and the Council of Conservationists faced a dilemma. Though very few people had seen Glen Canyon, there was a general understanding of how big the dam would be if constructed. Many participants in the debate realized that when water backed up behind the dam it might encroach on the boundaries of Rainbow Bridge NM, maybe even to the bridge itself. The Utah Committee For A Glen Canyon National Monument briefly acknowledged this threat in a written statement to Congress in 1954:

As previously mentioned, the elevation of the maximum level of the proposed lake [behind the dam] is 3707'. According to the figures of the Bureau of Reclamation, this is 53' higher than the canyon bed at Rainbow Bridge, which is 3654' above sea level. This dam will result in the submergence of the lower end of the National Monument a hundred feet. Parts of Rainbow Bridge National Monument will thus be flooded whenever the lake is within 100' of capacity. [259]

Secretary of the Interior Douglas McKay wrote to Brower to assure him that the Bureau of Reclamation would take all necessary steps to protect Rainbow Bridge, including a barrier dam one mile down canyon from the bridge. [260] McKay also indicated that protective measures would be part of the CRSP's authorizing legislation. In fact, the National Park Service and the Bureau of Reclamation recognized early on that protecting Rainbow Bridge would be necessary. In November 1954, a Memorandum of Understanding between NPS and Reclamation acknowledged the "problem of protecting Rainbow Bridge when the Glen Canyon Dam is constructed" and the need to look toward minimizing future risks to the bridge. By 1954 it no longer mattered if members of the Park Service were opposed to damming Glen Canyon. The simple fact was that dam would be built, and the Park Service needed to take steps to protect Rainbow Bridge. To this end, the Park Service became actively involved in researching and planning what would be involved in preventing Lake Powell waters from entering the monument. [261]

The Congressional hearings surrounding the CRSP included discussion of the possible impacts to Rainbow Bridge from damming Glen Canyon. The Bureau of Reclamation anticipated this criticism. E.O. Larsen, regional director for the Bureau, testified that at a maximum capacity of 26 million acre feet, the lake behind the dam would back up into Bridge Canyon, even under Rainbow Bridge itself. But the water would never elevate to the abutments of the bridge. [262] Various Reclamation officials also testified about contingency funds in the dam's budget for construction of three protective measures: a barrier dam below the bridge, a diversion tunnel above the bridge (Bridge Creek to another canyon), and a catch basin at the tunnel outlet. [263] Though the plans for protective measures were discussed in painful detail, the CRSP hearings in March 1955 revealed two important facts. First, the Bureau of Reclamation was shifting its focus from the losing battle at Echo Park to the less controversial Glen Canyon. Second, the hearings revealed the need for and promise of protection for Rainbow Bridge.

The Park Service and the Bureau of Reclamation actively pursued plans for protective measures during 1955. In May of that year, key Reclamation and Park Service personnel attended a field study and planning meeting. The group traveled to Rainbow Bridge by horse as well as various sites proposed for protective structures. They assessed various locations for a diversion tunnel and barrier dam, visiting four potential

sites during the three-day study. The trip yielded numerous alternatives that were ultimately forwarded to many Park Service and Reclamation directors. Given the testimony of Reclamation officials before Congress, NPS personnel believed that protective measures would be constructed and based on that belief took an active role in preparations and planning. [264] The report represented the Park Service's firm belief that they could prevent Lake Powell water from entering the monument. It also revealed a definite opinion regarding the outcome of the CRSP. Leslie P. Arnberger, then a Park Service naturalist, and Harold A. Marsh, NPS landscape architect, wrote to the General Superintendent for Southwestern National Monuments: "we suggest that reconsideration be given to the proposed height and location of the Glen Canyon Dam. Either a new location downstream or a decrease in the height should lower the level of the reservoir to the point where there would be no adverse effect on Rainbow Bridge." [265] However, if Reclamation could not be convinced to move the dam, the Park Service was committed to protecting Rainbow Bridge. This commitment was expressed in numerous memos as the plans to protect the bridge were evaluated over the entire summer of 1955.

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CHAPTER 7:

The Modern Monument: Managing Rainbow Bridge, 1955-1993

When Congress passed the Colorado River Storage Project Act in 1956, Rainbow Bridge NM was already part of the national recreation lexicon. While Park Service personnel, politicians, and environmentalists sparred over the proper and effective means to protecting the bridge from the inevitable encroachment of Lake Powell waters, the monument still required daily management. Despite the national attention focused on this remote 160 acres of federal land, the practical considerations of daily visitation, trail maintenance, and cooperation with the Navajo Nation continued. This chapter focuses on the decisions and plans that made that daily process both possible and productive. Much of the tenor of today's monument was shaped in theory and practice between 1956 and 1993 by dedicated Park Service personnel who stayed focused on "at hand" issues in spite of the national furor over the integrity of the monument's boundaries. This period began with the Mission 66 program and culminated with the General Management Plan of 1993. Because of the unique location of Rainbow Bridge NM, bordered on three sides by the Navajo reservation, as well as the controversial history of the Paiute Strip, the evolving relationship between the Park Service and the Navajo Nation dominated most decision-making issues. Between 1955 and 1993, modernism and traditionalism continued to intersect at Rainbow Bridge.

With the dam at Glen Canyon a foregone conclusion, local Park Service personnel turned their attention to the internal needs of the monument. Trail improvements, rest room facilities, and maintenance were just some of the issues at hand in 1956. Visitation had increased steadily from 142 people in 1923 to 1,081 in 1955. In the decade after World War II, park visitation nationwide increased every year, reaching a record high of more than 50 million people in 1955. [304] This figure represented a 236 percent increase in nationwide visitation since 1941. Since its beginning in 1916, the National Park Service operated under the philosophy of Stephen Mather: encouraging tourism brought people to the parks which translated into congressional support for the national park system which in turn ensured the survival of the parks. It was a good philosophy, but it assumed limited visitation growth. No one at the Park Service could have predicted the general post-World War II affluence that most Americans enjoyed. Nor was anyone prepared for the way that affluence translated into dramatic increases in park and monument visitation. This intense shift to maximum use of the parks by the public meant exponentially greater pressures on all Park Service personnel as well as individual park resources. The popular phrase among Park Service personnel during the 1950s was that the public was "loving the parks to death." [305]

The Park Service's philosophy progressed into one that encouraged development and control at the individual park level as a means of preserving and maintaining park resources for the longest possible period. In 1962, Yellowstone superintendent Lemuel Garrison called this new approach the "paradox of

protection by development." [306] The idea of protecting the park system through planned development was the backbone of Director Conrad Wirth's Mission 66 program. Succeeding Newton P. Drury in 1951, Wirth inherited a Park Service administration plagued by complaints from visitors over the condition of park resources and the lack of public facilities. Historian Bernard DeVoto, in his famous 1953 *Harper's Weekly* article, stated flatly that many of the most popular national parks should be closed because of poor conditions. DeVoto was one of the first people to make public the poor living conditions of Park Service personnel employed at various high-profile destinations such as Yosemite and Yellowstone. For all his bluster, though, DeVoto was right about one major point: the park system needed a general planning overhaul, and Wirth designed the Mission 66 proposal to meet that need.

Mission 66 was a ten-year plan which focused on renovating existing park facilities as well as public use resources. Wirth announced the plan at a Washington, D.C. banquet on February 8, 1956. Personnel at Navajo NM, led by Superintendent Foy L. Young, had already prepared a prospectus for implementing Mission 66 at Rainbow Bridge NM. Young's prospectus was completed by July 1955. Review of the plan continued through the remainder of 1955. One month after Director Wirth's announcement, Associate Director E.T. Scoyen approved the summary prospectus for Rainbow Bridge NM. [307] Planning was tentative in early 1956, given the uncertainty of the final scope of the Colorado River Storage Project. Park Service personnel revised the prospectus on the assumption that Congress would approve the CRSP, stating, "completion of the Glen Canyon Dam by the Bureau of Reclamation will open an entirely new era in our operation and management of this area. It is estimated that at least 10,000 visitors a year will then reach the monument, via boat and trail." The basic problems that Park Service personnel faced revolved around the fact that Rainbow Bridge NM was completely undeveloped. Based on the projected completion date of Glen Canyon Dam and the creation of Lake Powell, they barely had ten years to get ready for the definite and massive influx of visitors who would reach the monument via the Lake Powell corridor. [308]

The formal Rainbow Bridge Mission 66 prospectus, submitted April 23, 1956, called for enlarging the monument's boundaries to accommodate necessary facilities, trail improvements, construction of utility and residential buildings, utility systems, and some level of permanent staff. One year later, Director Wirth approved the prospectus. The development plan included a visitor center, campfire circle, campground, signage, and comfort stations. It also provided for both year-round and seasonal staffing and the facilities necessary to accommodate those additions. No independent supervision existed at this time at the monument; the Superintendent at Navajo NM also managed Rainbow Bridge. Management of the monument was not transferred to the auspices of Glen Canyon NRA until 1964. Bearing this in mind, the Mission 66 prospectus for Rainbow Bridge was a radical departure from the management philosophy employed up to this point at the monument. In that context, Mission 66, as it was applied at Rainbow Bridge, represented the best example of dynamic Park Service management in the ever confrontational 1950s. Within one year of recognizing what the CRSP would mean to visitation at the bridge, the Park Service responded with a plan that would meet those demands. [309]

Unfortunately, the application of the Mission 66 prospectus ran into difficulties between 1957 and 1966. There was some activity toward improving trails in the monument. But trail improvements and other development involved land beyond the monument's boundaries. Since the monument was bordered on three sides by the Navajo reservation, this meant cooperating with the Navajo Nation. Visitation was so infrequent at Rainbow Bridge before the 1950s that development had not been an issue. As a result, Park Service

personnel were not often exposed to the opportunity to negotiate directly with the Navajo Nation over any significant issues. These opportunities grew more numerous as the need to develop and manage Rainbow Bridge grew more intense.

In 1956, Glen Canyon Dam was at least five years from completion; indeed, after the success of the Sierra Club at Echo Park Canyon it was possible that Glen Canyon Dam might suffer a similar defeat in spite of Congressional approval of the CRSP. Environmental groups such as the Sierra Club wielded genuine political power in the mid-1950s. In the meantime, Park Service personnel were faced with implementing much needed improvements at Rainbow Bridge. Senator Barry Goldwater spearheaded one of the largest trail improvement projects in 1959. Goldwater owned the primary interest in Rainbow Lodge, located at the foot of Navajo Mountain. The lodge's manager and co-owner, Myles Headrick, thought that Lake Powell would definitely mean a new, water-based line of visitation to the monument. This would have definitely cut into the lodge's traditional customer base. In response, lodge management decided to improve the existing land-based line of travel from the lodge to the monument in an attempt to make trail approaches to the bridge as inviting as water approaches. Based on this belief, Headrick persuaded Goldwater to lobby the Department of the Interior for approval to improve fourteen miles of trail from Rainbow Lodge to the bridge. The plan met with some initial resistance. But key NPS personnel, including then Regional Director Hugh M. Miller, lobbied to see the trail improved. On August 5, 1959 the Park Service's efforts met with approval from the Navajo Nation. The Nation viewed the improvement of the trail as mutually beneficial to themselves and the Park Service. The Nation's only stipulation was that the majority of men hired to carry out the improvements be Navajo and that construction remain limited to the linear boundaries of the proposed trail. [310]

The trail improvements proposed by Goldwater and Headrick raised an interesting problem between the Park Service and the Navajo Nation, a problem the Park Service had not encountered before. Most of the proposed trail was outside the boundaries of the monument. BIA Acting General Superintendent K.W. Dixon pointed out to Hugh Miller, then NPS Region Three Director, that the proposed trail would require a right-of-way grant from the Nation. The Park Service believed it only needed a BIA permit and the consent of the Nation to conduct immediate improvements and future maintenance. But consent from the Nation only authorized work to commence and did not guarantee any future agreement. [311] To make matters worse, between 1959 and 1961 the issue of protective measures at the monument consumed Park Service personnel. Trail improvements as well as applications for formal right-of-way were put on the back-burner while the Park Service and the Bureau of Reclamation negotiated over protecting Rainbow Bridge from the waters of Lake Powell.

The controversy over protective measures did more than de-emphasize Park Service plans for trail improvements. It also heightened awareness among the Navajo Nation over the potential commercial significance of Lake Powell and Glen Canyon NRA. The Nation knew that it had a vested interest in maintaining as much shore access to the future lake as possible. That access promised real economic potential in the form of docks, concessions, and tour operations. This meant that negotiations over the proposed trail improvements and the associated rights-of-way had to be conducted in light of what those rights-of-way meant to Tribal commercial development at Lake Powell. During negotiations over the trail improvements, the Park Service realized that it needed some form of a "cooperative agreement" with the Nation in order to commence improvements and continue effective management of the monument.

The cooperative agreement was a prerequisite for authorizing Park Service funds to improve non-Park Service lands. NPS Solicitor Richard A. Buddeke noted to Miller that based on the Basic Authorities Act of 1946 (60 Stat. 885; 16 U.S.C., Sec. 17j2b) the Park Service could appropriate funds for trail improvements and maintenance for lands "under the jurisdiction of other agencies of the Government, devoted to recreational use and pursuant to cooperative agreements." [312] The "other" agency in this instance was the Bureau of Indian Affairs. Field Solicitor Merritt Barton observed that without a cooperative agreement, the Park Service would have no legal authority to construct or maintain the trail to Rainbow Bridge. [313] Pursuing the cooperative agreement raised issues regarding the status of the land in question as well as the status of lands that provided future water access to the monument via Lake Powell. The process of improving the horse and foot trail to Rainbow Bridge was no longer the simple request of Myles Headrick, it was the watershed for negotiating the legal status of lands that would be extremely valuable after 1962 (the year Glen Canyon Dam was proposed to be completed).

In January 1963 water began to fill behind Glen Canyon Dam, forming what is now known as Lake Powell. At the same time that the Park Service was negotiating with the Nation over access to Rainbow Bridge, the management authority over the bridge changed hands. During these initial negotiations, Park Service personnel raised the question of who should manage Rainbow Bridge in the long term. For immediate work projects, such as the proposed trail improvements, Miller suggested that Navajo NM Superintendent Art White continue in his dual capacity as acting superintendent of Rainbow Bridge. Miller also suggested that in the future, after Glen Canyon NRA was developed, Glen Canyon staff be charged with administering and protecting Rainbow Bridge. [314] This suggestion was not lost on regional administrators. In June 1962, before Lake Powell began rising, the Bureau of Reclamation and the National Park Service entered into a Memorandum of Understanding regarding the management and development of the lake. The Bureau of Reclamation took responsibility for facilities and resource management related to the operation of Glen Canyon Dam. The reservoir (Lake Powell) was created for the purpose of fulfilling the intent of the Colorado River Storage Project; consequently, Reclamation retained control of the lake's water level and flow as a method of responding to power needs along the project's corridor. Upon completion of inundation, the reservoir would be known as Glen Canyon National Recreation Area. Management of the reservoir was transferred to the Park Service for specific purposes, including public safety, recreational use management, wildlife management, and concessions and public revenues. Effectively the total management of the area was divided between Reclamation and the Park Service, with the mission of each entity guiding the scope and application of its respective management responsibilities. [315]

As part of the Memorandum of Understanding, protection and preservation of Rainbow Bridge NM became the responsibility of the superintendent of Glen Canyon NRA. NPS Director Hartzog approved the transfer of administrative control over Rainbow Bridge to the Superintendent of Glen Canyon NRA on August 5, 1964. The recreation area operated in a legislative void for nearly a decade. Park Service personnel were assigned to administrative and recreational management of Lake Powell soon after inundation began. But in 1972, after inundation of Glen Canyon was nearly complete, Congress approved the establishment of Glen Canyon NRA. [316] With the transfer of control, Rainbow Bridge would no longer be an undeveloped Park Service unit nor would it fail to register on the appropriations radar. It became one of the best managed jewels in the national park system's Southwest crown. More progress in comprehensive management needed to be made, however, as visitation reached 12,427 by the end of 1965. [317]

During the negotiations with NPS, the Navajo Nation questioned some of the basic assumptions held by the Park Service, specifically the legal status of lands in Bridge Canyon. The negotiations moved beyond the simple need for acreage dedicated to a horse and foot trail. The creation of Lake Powell meant the Nation needed to know what type of water access to the bridge would be available. The same month the diversion tunnels closed at Glen Canyon, Assistant Regional Director Leslie P. Arnberger met with the Nation's attorney, Walter Wolf, to discuss various issues related to land exchange. They discussed draft legislation to effect a land exchange between the Nation and the Park Service. What began in the late 1950s as the need for trail access turned into a debate over commercial development. The Nation changed its position, stating it was no longer amenable to giving up land around the monument. The meeting also included initial discussions of a Memorandum of Agreement regarding recreational use and development at Lake Powell. Wolf let the Park Service know that the Navajo Nation intended to develop commercial activities to the fullest extent possible along the southern shore of Lake Powell, which was part of the Navajo reservation. When Arnberger brought up the possibility of floating dock facilities in Bridge Canyon, to be located somewhere near the bridge, Wolf made it clear that the Nation reserved the right to approve any such plans. [\[318\]](#)

In September 1958, Congress approved legislation that transferred certain Navajo lands to the public domain (72 Stat.1686), known as Public Law 85-868. This law contained language that the Nation and the Park Service interpreted very differently. P.L. 85-868 stated, "the rights herein transferred shall not extend to the utilization of the lands hereinafter described under the heading parcel B for public recreational facilities without the approval of the Navajo Tribal Council." The Nation contended that all the lands in question around Rainbow Bridge were Parcel B lands. This interpretation specifically allowed for Tribal approval of all recreational facilities in Parcel B lands provided that those lands lay 3,720 feet above sea level. In 1963 topographic data suggested that the proposed site of Park Service floating facilities, just north of the confluence of Bridge Creek and Aztec Creek, indeed lay above 3,720 feet. But the floating facilities would not be anchored or moored to the shore. Did Tribal approval extend to the waters that covered the Parcel B land? This was the real point of contention. The Nation argued that the inundation of various canyons near Rainbow Bridge did not change the Parcel B status of those lands. The Park Service contended that all the lands in question were part of the system of legal public access to a national monument and once submerged became subject to the same laws that regulated all the navigable waters of the United States. The Nation reasserted its position that the 1958 Act superceded Park Service intentions and made any proposed recreational use of those lands subject to Tribal approval. [\[319\]](#)

This was not a situation the Park Service wanted to wade through. The history of Anglo/Indian relations over land and water rights in the American Southwest was not a history that favored the Park Service. The Nation was in an advantageous position, bargaining with access to Rainbow Bridge in exchange for boat and tour concessions along Lake Powell's southern shore. The Nation advanced a revised Memorandum of Agreement (MOA) in late 1963. In the revised MOA the Nation tipped its hand in terms of what it wanted from the Park Service. The Navajo Nation retained the right to operate boat services subject to the standards of approval used by the Park Service in assessing all concessions contracts. The Nation offered unrestricted access to Rainbow Bridge via land or water and by extension released control of that access to Lake Powell. Also of importance was the Nation's willingness to transfer lands, in the form of an easement, necessary to the operation of the monument including approval to build and maintain structures or modifications designed to facilitate public access to the bridge. [\[320\]](#)

Despite the conciliatory tone of the Nation's revised MOA, the Park Service had much to consider in terms of permitting Navajo concessions along the south shore of Lake Powell. Contrary to the proposed MOA terms, between 1964 and 1966 the Navajo Nation grew more convinced that it would have to have permitted access to large sections of Lake Powell's southern shore for both recreational and retail development. At the same time, the Nation went through a series of leadership changes that consolidated the Nation's desire for commercial access to shore front land. These leadership changes hampered the Park Service's ability to negotiate for desired easements as the Tribal Council grew ever more wary of the Park Service's intentions. [\[321\]](#)

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Rainbow Bridge

Administrative History



CHAPTER 8:

Managing For The Future: Rainbow Bridge National Monument into the 21st Century

Since 1910, when President Taft designated the 160 acres surrounding Rainbow Bridge a national monument, controversy surrounded the new monument. Who "discovered" Rainbow Bridge first, the history of human activity at the bridge, the relative significance of the bridge to Anglos and Native Americans, and the protected status of the bridge in the face of development were some of the issues that drove Park Service management decisions. Managing the monument after 1993 was no less contentious and perhaps even more so. Despite the fact that the Park Service had an operational agreement with the Navajo Nation and a new General Management Plan that defined the interpretive goals for the monument, the Park Service faced new pressures from different corners and was still faced with the intensifying demands of expanding visitation and resource protection. This chapter describes the life of the monument after 1993 and the attempts of the Park Service and others to ensure both the protection of Rainbow Bridge and its varied interpretive status. Controversy was still the watchword of the early 21st century at Rainbow Bridge. This chapter details the Park Service response to that reality and its attempts to resolve conflict while still engaging in effective management of the monument.

One of the more important byproducts of the GMP process was the creation of the Native American Consultation Committee. In 1993, the Park Service proposed a meeting with representatives from the Native American groups that had contemporary, cultural, or religious affiliations with Rainbow Bridge. The purpose of the meeting was to create a planning and consultation committee that would utilize Native American input in the application of interpretive goals for the monument. The Park Service invited ten Native American groups to the initial meeting. Five of the ten responded and three groups sent representatives to the October 27 meeting. Staff from Glen Canyon NRA met with representatives from the San Juan Southern Paiute, Kaibab Paiute, and the Navajo Nation. The Hopi Tribe and the White Mesa Ute Council could not attend the meeting but asked to be part of the finalized planning process. The meeting participants worked toward two goals: to create a Native American Consultation Committee (NACC) and to generate, via NACC, a Memorandum of Agreement to address those issues that affect Native American concerns over natural and cultural resources at Rainbow Bridge NM. What emerged from this action was another management milestone for the Park Service. [354]

After subsequent meetings of the NACC, the Park Service, the Utah State Historic Preservation Office, and the Advisory Council on Historic Preservation entered into a Programmatic Agreement with the five original tribes on the Committee as well as. The Agreement made the NACC an official entity for the Park Service to engage in terms of advice and interpretation. The Park Service took the role of Native American tribes

seriously with respect to administering the monument. To that end, the Programmatic Agreement (PA) included stipulations for the Park Service to consult NACC on a variety of issues: interpretation programs, trail maintenance, construction of wayside exhibits, interpreter training, revegetation, visitor traffic control, and measures to reduce resource degradation. The agreement also authorized unrestricted and non-permitted access to Rainbow Bridge for members of signatory tribes who wished to conduct traditional ceremonies. The agreement also stipulated that the Park Service would consider periodically closing the monument at the request of any signatory tribe provided the reasons for the closure were compelling and the closure could be legally justified. [355]

The PA, like the GMP, stipulated that an NPS interpreter would be present on every tour boat that visited Rainbow Bridge. [356] This specific requirement was intended to augment public education regarding the multifaceted nature of the bridge and monument. While the PA did not compel the Park Service to prohibit direct public access to the bridge, it did stipulate that the Park Service would discourage physical visitor contact with the bridge. This was to be accomplished via terminating the trail improvements (normally providing access all the way to Rainbow Bridge) at a wayside exhibit and viewing area 250 feet northwest of the bridge. The construction of a low rock wall where the trail to the bridge left the viewing area would further discourage visitor trail access; the trail itself remained intact. At no point did the PA advocate preventing the public from approaching the bridge. It did make Native American concerns over the sacred nature of the bridge a part of the management philosophy at the monument. Interestingly, the Programmatic Agreement was conceived and executed months before Protectors of the Rainbow occupied the monument. It was no wonder that the Navajo Nation did not endorse the actions of the Protectors the Nation already had what it wanted in terms of access in the form of the PA. The Agreement was, essentially, a statement of respect codified in document. It acknowledged the importance of the bridge to Native American groups and the equal importance of consulting those groups about decisions that would affect the bridge. This was the kind of pluralism the tribes and the Park Service had always desired but had been so difficult to attain. The PA was free from the pressures of litigation or distrust. As a result of the Agreement, Native Americans had an official voice in the management of a national monument that was significant to both Indians and non-Indians. [357]

While the Park Service was negotiating the completion of the Programmatic Agreement, it was also working toward implementation of part of the GMP, placing signs at Rainbow Bridge that met each of its interpretive goals. Only the sign dedicated to educating visitors about the sacred nature of Rainbow Bridge met with resistance and controversy. In pursuit of the spirit of the PA, Superintendent Joe Alston notified the signatory tribes regarding new signs for Rainbow Bridge. Installed in May 1995, the initial sign read:

American Indians consider Rainbow Bridge
a sacred religious site.
Please respect these long-standing beliefs.
Please do not approach or walk under Rainbow Bridge.

Alan S. Downer, director of the Historic Preservation Department for the Navajo Nation, noted the obvious deficiency of the sign. Downer pointed out to Alston that the bridge was not a sacred religious site to *all* American Indians. Downer suggested that the sign specify the Navajo Nation as considering the bridge sacred, because the Navajos were the Native American group with the closest proximity to the monument.

This would have necessarily excluded other tribes, especially the non-Navajo signatories to the PA, from the educational process so critical to the new management philosophy at Rainbow Bridge. After soliciting the opinions of the other PA tribes, the Park Service developed and installed a new sign by July 1995. The revised sign read:

Neighboring American Indian tribes believe
Rainbow Bridge is a sacred, religious site.
Please respect these long-standing beliefs.
Please do not approach or walk under Rainbow Bridge.

In August 1995, based on the perception that the Park Service would never allow Native Americans unrestricted and/or private access to the bridge, the Protectors of the Rainbow took control of the monument and spent four days engaged in cleansing ceremonies. The Park Service response typified the best intentions of its new management philosophy as expressed in the GMP and the Programmatic Agreement. NPS contacted the Navajo Nation to determine the degree of tribal support enjoyed by the Protectors of the Rainbow. NPS staff even met with the Protectors to negotiate a non-violent resolution to the situation. The decision to diffuse the situation by acceding to the Protectors' demands ensured the support and cooperation of the PA signatory tribes. It also evidenced the renewed commitment of the Park Service to fulfilling its intended mission at Rainbow Bridge the protection of sensitive natural and cultural resources at almost any expense.

It was also in 1995 that climbers, via the Bear Lodge Multiple Use Association, sued the National Park Service over the its decision to ban climbing at Devils Tower during the month of June. The Park Service at Devils Tower made prioritization of Shoshone religious beliefs its overt intent in the climbing ban. Climbers argued that this violated the Establishment Clause of the First Amendment. When the Park Service modified its policy to a voluntary ban, asking climbers to self-select not to climb during June, the Tenth Circuit Court of Appeals ruled that the Park Service policy did not violate the First Amendment. The Park Service knew that at Rainbow Bridge there was no policy in effect that prohibited public access to the bridge during normal use periods. Barring revegetation activities on the trail or a natural disaster, the public could approach, walk under, and otherwise make physical contact with Rainbow Bridge. While Park Service interpreters discouraged such activity, they did not attempt to prevent it. On the heels of the Devils Tower suit, in May 1996, came President Clinton's Executive Order 13007, the Indian Sacred Sites proclamation. The order was very clear in its purpose:

"Section 1. *Accommodation of Sacred Sites.* (a) In managing Federal lands, each executive branch agency with statutory or administrative responsibility for the management of Federal lands shall, to the extent practicable, permitted by law, and not clearly inconsistent with essential agency functions, (1) accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and (2) avoid adversely affecting the physical integrity of such sacred sites. [358]

Effectively, the actions of the Park Service at Rainbow Bridge over the previous four years had been codified in a presidential mandate. But the specter of the Devils Tower suit still loomed over the Park Service. Superintendent Joe Alston knew that it was only a matter of time before somebody decided the

policy of "discouragement" was tantamount to establishment and thereby violated the First Amendment. Even the *High Country News*, in May 1997, speculated that "if anyone does sue at Rainbow Bridge, it's likely to be an unassuming nonprofit [group] of rock-arch lovers, the Natural Arch and Bridge Society." [359]

To avoid an inevitable lawsuit, the Park Service raised the issue of signage at the 1997 meeting of the Native American Consultation Committee. After a lengthy discussion the Committee decided that new signs needed to be placed at the bridge to make the voluntary nature of access restriction more clear. [360] The new signs read:

To Native American tribes/nations,
Rainbow Bridge is a sacred religious site.
In respect of these long-standing beliefs,
we request your voluntary compliance
in not approaching or walking under
Rainbow Bridge.

These signs were still in place as of January 2001. The *High Country News* was more than a little bit prescient in its prediction of a lawsuit. In 1997 Stan Jones was a board member for the Natural Arch and Bridge Society and chairman of the Society's Rainbow Bridge Committee. In that year Jones began archiving data, in the form of press clippings and correspondence, regarding the "illegal" activities of the National Park Service at Rainbow Bridge NM. The Society was becoming annoyed at what it perceived were illegal restrictions on their access to the bridge and its environs. But tensions cooled in 1998 when the Tenth Circuit Court of Appeals ruled that the voluntary ban on climbing at Devils Tower, initiated by the Park Service as a modification to outright prohibition, did not violate the Establishment Clause of the First Amendment. Park Service personnel were elated at the outcome. They felt that they had bridged the gap between Anglo and Native American needs and had come out ahead. Even the Court recognized the delicate line that the Park Service had to walk, noting that the Devils Tower policy was "a policy that has been carefully crafted to balance the competing needs of individuals using Devils Tower National Monument while, at the same time, obeying the edicts of the Constitution." [361]

With a temporary reprieve from the threat of litigation, the Park Service at Rainbow Bridge turned its attention to another matter. After a 1973 article in *Empire Magazine* that detailed Jim Mike's role in the Cummings/Douglass expedition to Rainbow Bridge, an unknown person removed the only commemorative plaque from the canyon wall near the bridge and threw it into Lake Powell. That happened in late 1975. The original plaque, placed in Bridge Canyon in 1927, only commemorated Nasja Begay's role in "discovering" the bridge. In 1974 the Park Service took Jim Mike to the bridge for a ceremony that recognized him for his role as one of the guides to the 1909 expedition. It was not until the early 1980s that a small plaque was placed in Bridge Canyon which gave Jim Mike equal credit for helping Cummings and Douglass find the bridge. The new plaque, smaller than the one commemorating Nasja Begay, was placed on the canyon wall directly beneath Nasja Begay's plaque.

This situation had never sat well with Mike's relatives. But Park Service decisions were beyond the scope of Native American input throughout the 1970s. In the mid-1980s, private individuals raised \$6,000.00 to

commission a bronze plaque of equal size to Begay's that recognized Jim Mike. In July 1984, his daughter Pochief Mike, granddaughter Mary Jane Yazzie, and various other dignitaries traveled again to Rainbow Bridge to unveil the new plaque and pay homage to Jim Mike. The plaque was presented by Mary Jane Yazzie and Pochief Mike but for some unknown reason was never hung in Bridge Canyon. In interviews conducted by Glen Canyon NRA's Interpretation division in 1997, no Park Service personnel even knew the larger plaque existed. It appeared that the Park Service had originally planned to create a large exhibit that incorporated the larger plaque at the Rainbow Bridge trail near the courtesy docks. Somehow that exhibit never came to be. When the Programmatic Agreement was signed, the issue of Jim Mike's plaque was raised once again. In the 1995 and 1996 annual NACC meeting, committee members indicated that as part of the effort to reduce foot traffic to the bridge, replicas of the plaques commemorating Nasja Begay and Jim Mike should be placed at the viewing area, thereby mitigating the need to trek up-canyon to see the original plaques. It was during those meetings that Park Service personnel realized that a plaque was missing. [362]

Park Service researchers began looking for information on the origin of the Nasja plaque. In that process, Park Ranger Glenn Gossard remembered seeing a crate in the basement of the Carl Hayden Visitor Center at Glen Canyon Dam. Something about the crate's marking made Gossard think it had something to do with Jim Mike. The crate, in fact, contained the very plaque unveiled by Yazzie twelve years prior. Mary Jane Yazzie petitioned the NACC at its 1997 annual meeting to mount the Jim Mike plaque somewhere in the monument. The Committee decided that the most appropriate place was next to Nasja Begay's plaque, which hung on the canyon wall near the bridge. Replicas of the two plaques were commissioned to be hung at the courtesy docks. In July 1997 the smaller Jim Mike plaque was removed and the divot in the canyon wall was filled to resemble natural rock. The larger plaque was mounted next to the Nasja Begay plaque. On September 30, 1997 members of Jim Mike's family, representatives of the Navajo Nation, and Park Service staff members took a tour boat to Rainbow Bridge where yet another ceremony was held to commemorate Jim Mike for his contribution to the 1909 "discovery" expedition. The Park Service presented the smaller plaque to Mary Jane Yazzie. [363]

The life of the monument after the Fall of 1997 was fairly uneventful. The NACC continued to meet and review issues related to the natural and cultural resources at Rainbow Bridge. The 1998 meeting included discussion of raising the height of the rock wall at the viewing area in Bridge Canyon to further discourage people from approaching the bridge. By the time of the 1998 meeting the Park Service had installed replicas of the Nasja Begay and Jim Mike plaques at the wayside exhibits near the docks. John Ritenour, Resource Management Division Chief at Glen Canyon NRA, reported that the process of removing tamarisk from the monument was underway and would continue in the immediate Bridge Canyon area. Between 1998 and 2000, the monument was being managed well by the combined and cooperative efforts of the Park Service and the Native American Consultation Committee. Even the issues related to Devils Tower subsided once the Park Service received a favorable ruling on the voluntary nature of the climbing ban at the Wyoming monument. This definitely put the Park Service at ease at Glen Canyon and Rainbow Bridge.

In addition to handling the daily tasks of management at Rainbow Bridge, the Park Service was interested in how well it was performing its mission at the bridge. Toward this goal, NPS conducted a visitor survey in various units of the park system, including Rainbow Bridge. The data generated from visitor response survey cards was tabulated and analyzed by the University of Idaho Cooperative Park Studies Unit. In light of the severe criticism they were receiving from pro-access interests, the results of surveys conducted in 1998 and 1999 were more favorable than the Park Service anticipated. While certain sectors of the survey,

such as the rating for restroom odor, fell between 1998 and 1999, overall satisfaction with the Park Service's job rose from 92 percent in 1998 to 93 percent in 1999. These figures represented all those respondents who replied that the Park Service was doing either "very good" or "good" at maintaining and interpreting Rainbow Bridge. The survey measured numerous categories of performance: quality of exhibits; walkways, trails, and roads; restrooms; on-site Park Service employee quality; and, the ranger programs. Visitors also evaluated recreational opportunities for the survey. Those categories included outdoor, sightseeing, and educational opportunities offered at the monument. Visitors were also asked to provide additional comments about their opinion of the "special significance" of the park as well as any miscellaneous comments. In the statistical portion of the survey, the Park Service performed well. Between both years the categories that Park Service personnel fared best in those categories that involved personal contact: on-site service and ranger programs. The Park Service also relished the fact that in both years studied, only one comment appeared that disparaged the Park Service for discouraging access to Rainbow Bridge beyond the viewing area. The Park Service interpreted these figures as a validation of their mission at Rainbow Bridge. Fewer people were coming into physical contact with the bridge than in years prior; however, their satisfaction with the experience was still reasonably high. These survey results contributed to the general sense of ease among Park Service personnel at Rainbow Bridge. Unfortunately that state of ease was not to last. [364]

There was a growing interest in seeing Rainbow Bridge managed in a way that did not include Native American issues in the interpretation. This concern was most vehemently voiced by members of the Natural Arch and Bridge Society (NABS). Stan Jones, author of the most popular maps of Lake Powell, came to Glen Canyon in the mid 1960s and has lived in Page, Arizona ever since. Jones has long been the voice of the NABS in Glen Canyon and has always let the Park Service know when the Society thought cultural approaches to interpreting Rainbow Bridge were getting a little too sensitive. As mentioned previously, Jones began documenting the Park Service's "illegal" policies at Rainbow Bridge in 1997. This documentation took the form of a large private collection of newspaper clippings, personal and professional correspondence, and commentaries related to the supposed illegal policies of preventing physical access to Rainbow Bridge via foot trails. Jones contended in a letter included with his collection that the Park Service was supporting Native American religion through the use of federal funds to promote a Native American interpretation of Rainbow Bridge. He claimed that the Park Service was guilty of violating the Establishment Clause of the First Amendment by proselytizing Navajo religion at the bridge and compelling the public, via tour boat revenues, to pay for it. Jones believed it was unethical and illegal to compel visitors to see Rainbow Bridge from one dominant perspective and then not allow them to view the bridge up close for themselves. The NABS had always been offended by Park Service policies which discouraged visitors from approaching or walking under the bridge. Since conflict and controversy have always colored the life of Rainbow Bridge NM, Park Service personnel knew what was coming next.

While Park Service personnel were unsure of whether or not Jones or the NABS intended to sue the Park Service all along, Jones did provide his archival collection of Park Service activity documentation to the Mountain States Legal Foundation in late 1999. Regardless of a possible lawsuit, the Interpretation Division at Glen Canyon NRA decided in 1999 to begin developing a Comprehensive Interpretive Plan (CIP) that would guide the monument's interpretation for the next ten years. This effort was undertaken in response to various concerns over the way Rainbow Bridge was being interpreted. The CIP was only in a nascent phase by July 2000; however, it did promise to be a more balanced approach to interpreting the bridge beyond its spiritual connection to Native Americans. The Park Service had walked a fine line up to the 21st century, trying to balance environmental, archeological, and cultural concerns at the bridge. The process of making

policy at Rainbow Bridge was more broad based and complex than at any time in the monument's history. Concerns such as those expressed by the NABS were never dismissed out of hand. After all, the NABS represented a constituency of the paying public and their concerns were as valid as those of Navajos and Europeans. But for the NABS the issue was more than just about paying for access. Groups such as the NABS represent the view that national parks and monuments are traditional cultural properties which are as important to American citizens as sacred sites are to Native Americans. Non-secular perceptions of sites such as Rainbow Bridge hold as much validity to the philosophical underpinnings of the national park system as religious perceptions do to affiliated Native American groups. The CIP was the Park Service's attempt to once again gauge what the public wanted and needed at Rainbow Bridge and to develop an interpretive plan that responded to those concerns. The CIP was an internal planning process that solicited input from identified interest groups and stakeholders. [365]

On March 3, 2000 the Natural Arch and Bridge Society filed suit in U.S. District Court against Joe Alston as Superintendent of Glen Canyon NRA and Robert G. Stanton as Director of the National Park Service. The suit was inevitable according to many Park Service personnel. The situation at Rainbow Bridge, which involved a progressively greater degree of Native American input at the decision making level, was bound to incite response from someone. The NABS employed the Mountain States Legal Foundation (MSLF) to represent them in the suit. The suit claimed that Park Service policies prevented visitors from approaching the bridge, which is the central attraction at the monument, unless those visitors were Native Americans or engaging in Native American religious ceremonies. The suit stipulated that these preventative policies violated the Establishment Clause of the First Amendment as well as the Due Process Clause of the Fifth Amendment. The Park Service had seen this all before at Devils Tower in the *Bear Lodge* case. Specifically, the MSLF claimed that the GMP and its Interpretive Prospectus were part of a calculated effort to preclude visitor access to the bridge in favor of Native American access. In addition to the argument that Native American religious viewpoints formed a part of the policy making process at the bridge, the suit claimed that constructing a rock wall to define the boundaries of the viewing area served as an artificial barrier to visitors that desired to approach the bridge. [366]

The crux of the suit, in terms of plausible violation of the Establishment Clause, was in part 26 of the Statement of Facts:

Fares for the [NPS sanctioned] tour boats include fees to cover the costs of providing interpreters. Thus, in order to access Rainbow Bridge the majority of the 300,000 visitors who visit the Monument each year are required to listen to federal employees proselytize regarding Native American religion and are required to pay for that proselytization. Individual members of NABS have taken the official boat tour and been exposed to the interpretive speeches given on the boats. These NABS members are directly affected by and object to these speeches as well as to the use of any portion of the tour fees or other Park Service revenues, including but not limited to those derived from federal taxes, to pay for the interpretive program. [367]

NABS argued that it was the direct allocation of funds to interpreting Rainbow Bridge as a sacred site that violated the Establishment Clause. Whether or not the program of interpretation constituted endorsement of a Native American religion was the contested part of the claim. NABS also indicted NPS because of the Park Service response to the Protectors of the Rainbow seizure in 1995. NABS argued that the decision to

"allow" Navajos to conduct rituals was tantamount to supporting a religion. The fact that the Park Service did not allow public access during those four days compounded the problem and undermined the Park Service's position. Other parties to the suit made claims that upon approaching the bridge from the south side, on the old Rainbow Lodge trail, they were compelled by a park ranger to leave their position near the bridge and told to regroup at the viewing area. Evelyn Johnson, a member of this group of hikers, claimed she was told to move away from the bridge and back to the viewing area because her group's presence under the bridge encouraged other visitors to follow suit. Another plaintiff in the suit, Earl DeWaal, claimed that in 1999 he was threatened by a park ranger with citation and/or arrest if he attempted to use the trail from the viewing area to approach Rainbow Bridge. DeWaal claimed that the express reason for preventing his access to the bridge was to avoid desecration of the site and protect Native American religious values.

Park Service personnel had been trying to work within the parameters of Interior policy throughout the 1980s and 1990s. The Native American Relationships Policy (NARP), issued in 1982 by the Department of the Interior, was a clear agency statement about the future of the relationship between Native Americans and the National Park Service. With regard to interpretation, the NARP clearly stated, "the Park Service will seek to involve concerned Native Americans to the maximum extent possible in the development of General Management Plans and in interpretive programs which speak to their group history and prehistory." [368] The NARP went on to stipulate that in pursuit of greater Native American involvement in interpretation, Park Service efforts might "include the developing of signs and exhibits; the recounting of stories which figure in an interpretive exhibit; the appropriate display or non-display of cultural objects; the proper identification and protection of significant sites; and concerns of the contemporary Native American community." [369] The Park Service at Glen Canyon and Rainbow Bridge was doing more than simply ad hoc consultation of Native Americans or blindly generating policy designed to infringe on the Constitution. It was, in fact, following federally approved mandates to facilitate greater Native American involvement in the management and interpretation of a national monument which sat on ground that had been a part of various Native American's aboriginal homelands for hundreds of years. These claims were still in litigation as of June 2001.

The issues that plagued many parts of the national park system were not avoided at Rainbow Bridge. For all its beauty, grandeur, and amazing scientific and cultural resources, the bridge was and still is the object of controversy and conflict. From the debate over who first "discovered" Rainbow Bridge to the conflict over how it should be interpreted, the Park Service fulfilled its management responsibilities admirably at Rainbow Bridge. The comforting fact has always been that visitors continue to praise the Park Service for their efforts at managing the monument in a way that promotes resource protection over commercial profit. With visitation expected to reach or exceed 200,000 people in 2001, the goals at Rainbow Bridge remain the same.

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APPENDIX 1: IMPORTANT EVENTS

- 1906 Antiquities Act, sponsoring the national monuments, becomes law.
- 1909 August: John Wetherill, Byron L. Cummings, and W.B. Douglass reach Rainbow Bridge.
- 1910 May: Monument declared. John Wetherill assigned as Custodian (shared duty with Navajo National Monument).
- 1933 First year of Rainbow Bridge-Monument Valley survey.
- 1955 Visitation to Rainbow Bridge exceeds 1,000 people.
- 1956 Mission 66 first funded by Congress.
- March: President Eisenhower signs the Colorado River Storage Project Act.
- October: construction of Glen Canyon Dam begins.
- 1956 Memorandum of Agreement between the Bureau of Reclamation and NPS.
- 1958 Secretary of the Interior establishes Glen Canyon Recreation Area and designates NPS the administering Agency. Congress passes P.L. 85-868, transferring lands between NPS and the Navajo Nation.
- 1963 January: BOR closes the gates of the west bank diversion tunnel at Glen Canyon Dam. Lake Powell begins to fill. March: the east bank diversion tunnel gates close, marking the official birth of Lake Powell.
- 1964 Administrative and operational control of Rainbow Bridge National Monument transfers to Superintendent of Glen Canyon Recreation Area.
- 1965 Visitation to Rainbow Bridge exceeds 10,000 people. NPS installs the first floating dock facility in Aztec Creek.
- May: Memorandum of Agreement with the Navajo Nation is signed. Lake Powell water enters the monument. Visitors can boat to within sight of the bridge.
- 1972 Congress passes P.L. 92-593, establishing Glen Canyon National Recreation Area.

- 1974 Jim Mike returns to Rainbow Bridge. Navajo singers sue NPS over Lake Powell waters inundating lower Bridge Canyon.
- 1978 Native American Religious Freedom Act becomes law.
- 1980 Visitation to Rainbow Bridge exceeds 100,000 people.
- 1985 Bureau of Reclamation concludes that Lake Powell is not contributing to any structural impairment of Rainbow Bridge.
- 1989 Rainbow Bridge National Monument nominated (although never designated) as a World Heritage Site.
- 1993 General Management Plan finalized.
- 1994 Hearth excavated at foot of Rainbow Bridge, dated approximately 600 A.D.
- 1995 Protectors of the Rainbow occupy the monument. Programmatic Agreement signed, creating the Native American Consultation Committee.
- 1996 Executive Order 13007, the Indian Sacred Sites proclamation.

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APPENDIX 2:

LIST OF CUSTODIANS AND SUPERINTENDENTS

Rainbow Bridge National Monument was administered by the Custodian or Superintendent of Navajo National Monument from May 30, 1910 to August 4, 1964. The monument was administered by the Superintendent of Glen Canyon National Recreation Area from August 5, 1964 to the present.

Navajo National Monument (Established 3/20/1909)

John Wetherill, Cust.	04/09/1909 - 12/31/1938
James W. Brewer, Jr., Cust.	06/01/1939 - 03/31/1943
William W. Wilson, Acting Cust.	04/01/1943 - 01/18/1946
James W. Brewer, Jr., Cust.	01/19/1946 - 06/23/1950
John A. Aubuchon, Supt.	06/24/1950 - 11/28/1953
Foy L. Young, Supt.	12/03/1953 - 04/07/1956
Arthur H. White, Supt.	04/08/1956 - 03/14/1965

Glen Canyon National Recreation Area (Authorized 4/18/1958; Established 10/27/1972)

James M. Eden, Supt.	04/19/1959 - 08/16/1964
Gustav W. Muehlenhaupt, Supt.	08/30/1964 - 06/03/1967
William J. Briggles, Supt.	06/25/1967 - 07/12/1969
Carlock E. Johnson, Supt.	10/05/1969 - 02/16/1974
Temple A. Reynolds, Supt.	02/17/1974 - 08/12/1978
G. Bryan Harry, Supt.	09/10/1978 - 01/10/1981
Irvin L. Mortenson, Jr., Acting Supt.	01/11/1981 - 05/16/1981
John O. Lancaster, Supt.	05/17/1981 - 05/03/1994
Larry May, Acting Supt.	05/04/1994 - 09/30/1994
Joe Alston, Supt.	10/01/1994 - 12/07/2000
Kayci Cook Collins, Acting Supt.	12/08/2000 - 02/24/2001

Kitty Roberts, Supt.

02/25/2001 -

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APPENDIX 3: PERTINENT LEGISLATION AND AUTHORITIES

Key Legislation/Authorities Directly Affecting Lands Inside the Monument Boundary:

- The Antiquities Act of 1906, entitled "An Act for the Preservation of American Antiquities." Section 2 of the act gave the authority to the executive branch to establish Rainbow Bridge National Monument.
- The Act of August 25, 1916, 39 Stat. 535; 16 U.S.C. 1, established the National Park Service. Under the terms of the act, the National Park Service became the managing Agency for Rainbow Bridge NM. Its two primary objectives were ". . .to provide for the enjoyment" of persons visiting parks and monuments and "in such a manner and by such means as will leave them unimpaired for future generations.
- Presidential Proclamation Number 1043, of May 30, 1910. With this proclamation, President William Howard Taft established Rainbow Bridge National Monument.
- American Indian Religious Freedom Act of 1978, Public Law 95-431, Stat. 469. The conditions of the AIRFA made it the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise their traditional religions and rites, to include access to traditional sites and the use and possession of sacred objects. The National Park Service must assure that its general regulations and basic management on access to, and use of, park lands and park resources, such as Rainbow Bridge National Monument, are applied in a balanced manner that does not unduly interfere with an American Indian group's use of historically traditional places or sacred sites located within the bounds of a park unit.
- Title IV of the National Historic Preservation Act Amendments of 1980, Public Law 96-515; 16 U.S.C. 470 a-1, a-2. This outlines the Department of Interior, National Park Service's implementing responsibilities for the U.S. World Heritage nomination process. Rainbow Bridge National Monument was nominated as a World Heritage Site in 1989 (Fed. Reg., Vol. 54. No. 86, May 5, 1989, 19469).

Key Legislation/Authorities Affecting Access to Rainbow Bridge National Monument and Indirectly Affecting Lands within Rainbow Bridge National Monument:

- The Act of August 7, 1946, 60 Stat. 885; 16 U.S.C.17j-2. This act provided appropriations to the National Park Service for: (b) administration, protection, improvement, and maintenance of areas under the jurisdiction of other Agencies of the Government, devoted to recreational use pursuant to cooperative agreements.

- Public Law 84-485, 70 Stat. 105, Colorado River Storage Project Act, April 11, 1956, "To authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River Storage Project and participating projects . . ." This act authorized the construction of Glen Canyon Dam and eventually changed the primary public access route to Rainbow Bridge National Monument from land to water. Section 8 of this law directed the Secretary of Interior ". . . to investigate, plan, construct, operate and maintain public recreational facilities on lands withdrawn or acquired for the development of said project or of said participating projects, to conserve the scenery, the natural, historic, and archaeological objects, and the wildlife on said lands, and to provide for public use and enjoyment of the same and of the water areas created by these projects by such means as are consistent with the primary purposes of the projects."
- Memorandum of Agreement between the Bureau of Reclamation and the National Park Service, September 24, 1956. Under the above authority, the Secretary of the Interior established Glen Canyon Recreation Area in 1958 and designated the National Park Service the administering Agency.
- Public Law 85-868, 72 Stat. 1686, "To provide for the exchange of lands between the United States and the Navajo Tribe . . .," dated September 2, 1958. Sec. 2 (a) describes parcels "A" and "B" lands. Along that portion of Lake Powell extending from the Page town site eastward along the Colorado and San Juan Arm, lands below the 3,720-foot contour were acquired by the Federal Government. In relinquishing these lands (known as Parcel "B" lands), the tribe retained the mineral rights. The legislation also specifies that these lands "will not be utilized for public recreational facilities without the approval of the Navajo Tribal Council." This affects lands where water-based transportation facilities could be constructed.
- Public Law 90-537, Colorado River Basin Project Act of 1968. This law established an operational program for the upper and lower basin portions of the Colorado River. It established a full pool for Lake Powell at elevation 3,700 feet. With this legislation, the primary access to Rainbow Bridge changed from land to water.
- September 11, 1970, "Memorandum of Agreement among the National Park Service, the Bureau of Indian Affairs, the Bureau of Reclamation, and the Navajo Tribe of Indians, on the use and development of the Glen Canyon National Recreation Area and adjacent Tribal lands." This agreement recognizes Navajo Nation preference rights to operate concessions on Parcel "B" lands.
- Public Law (P.L.) 92-593, October 27, 1972, 86 Stat. 1311. This law established Glen Canyon National Recreation Area to ". . . provide for public outdoor recreation use and enjoyment of Lake Powell and lands adjacent thereto in the States of Arizona and Utah and to preserve the scenic, scientific, and historic features contributing to public enjoyment of the area . . ." Rainbow Bridge National Monument is accessed from the Glen Canyon National Recreation Area.

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APPENDIX 4: VISITATION STATISTICS

Prior to Lake Powell				
1909-1949	7,795		1956	1,138
1950	542		1957	1,170
1951	388		1958	1,238
1952	522		1959	1,370
1953	826		1960	1,117
1954	881		1961	2,904
1955	1,081		1962	2,918
Since Lake Powell				
1963	2,784		1982	114,555
1964	5,670		1983	172,126
1965	12,427		1984	161,551
1966	20,468		1985	177,971
1967	21,993		1986	283,307
1968	28,035		1987	238,307
1969	36,389		1988	255,420
1970	39,959		1989	258,346
1971	41,818		1990	255,420
1972	73,526		1991	258,346
1973	57,057		1992	256,158
1974	55,104		1993	211,254
1975	65,171		1994	298,648
1976	81,875		1995	346,151
1977	87,300		1996*	325,562
1978	95,930		1997	179,791

1979	97,066		1998	195,916
1980	113,816		1999	234,550
1981	158,832		2000	197,614

*Before 1996, NPS estimated visitation through a combination of counts from an infrared pedestrian tracker (located on the trail between the docks and Rainbow Bridge) and ranger estimates. In late 1996, NPS replaced the original infrared pedestrian counter with new model and placed the counter on the courtesy docks. The visitation figures after this modification are considered more accurate than the pre-1996 estimates.

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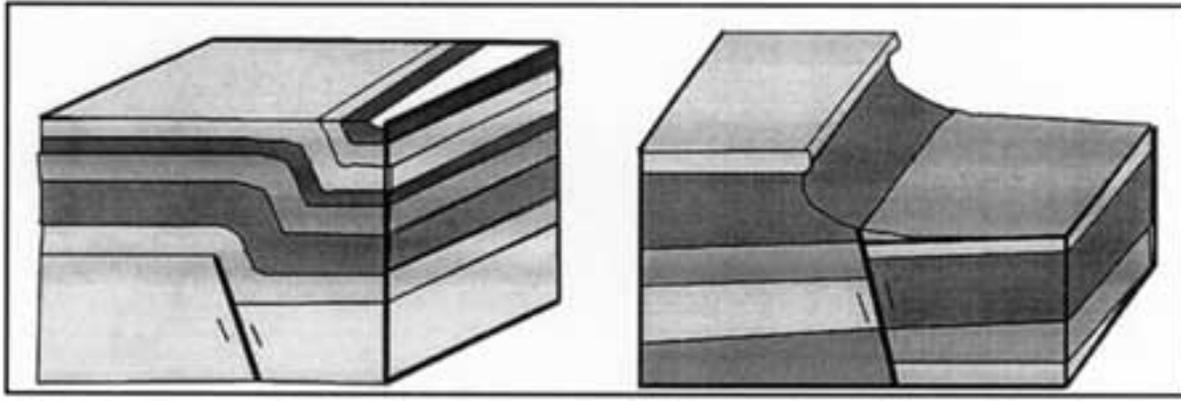
Johnson, Christopher G., *The Significance of Rainbow Bridge: From Prehistory to the Present*, M.A. Thesis, Northern Arizona University, 1996.

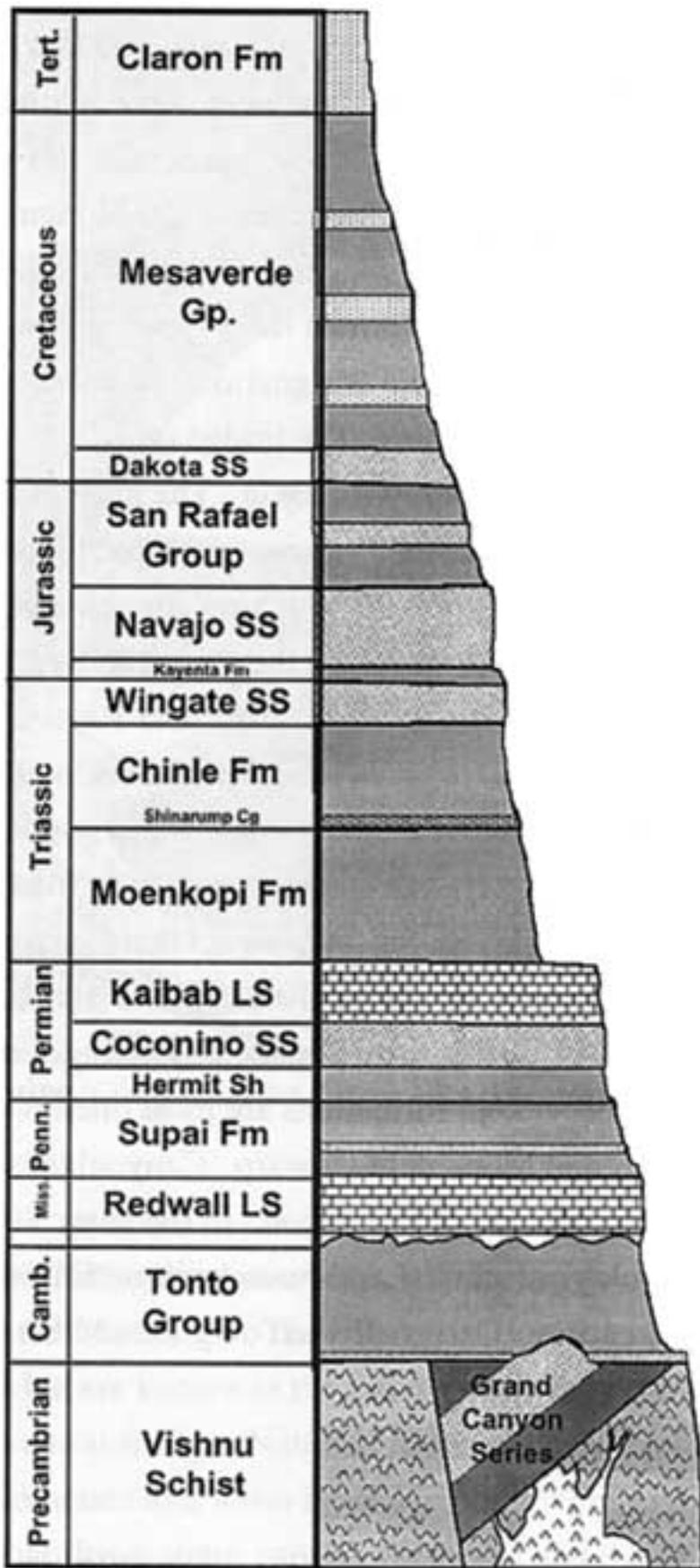
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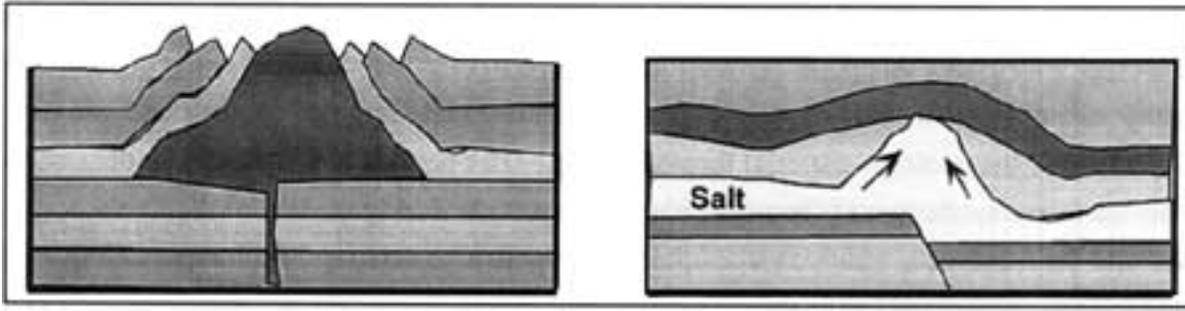
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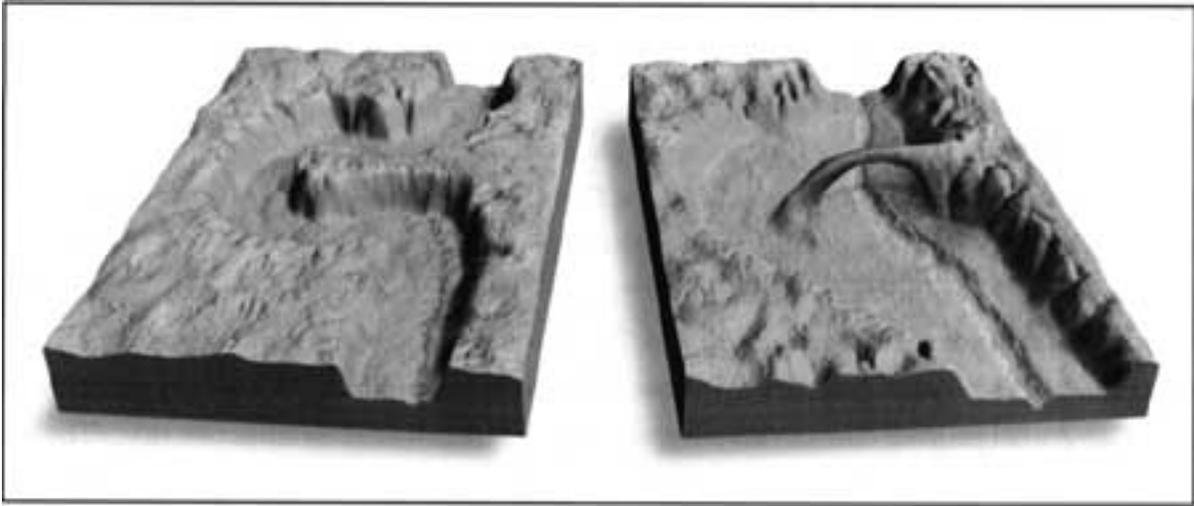
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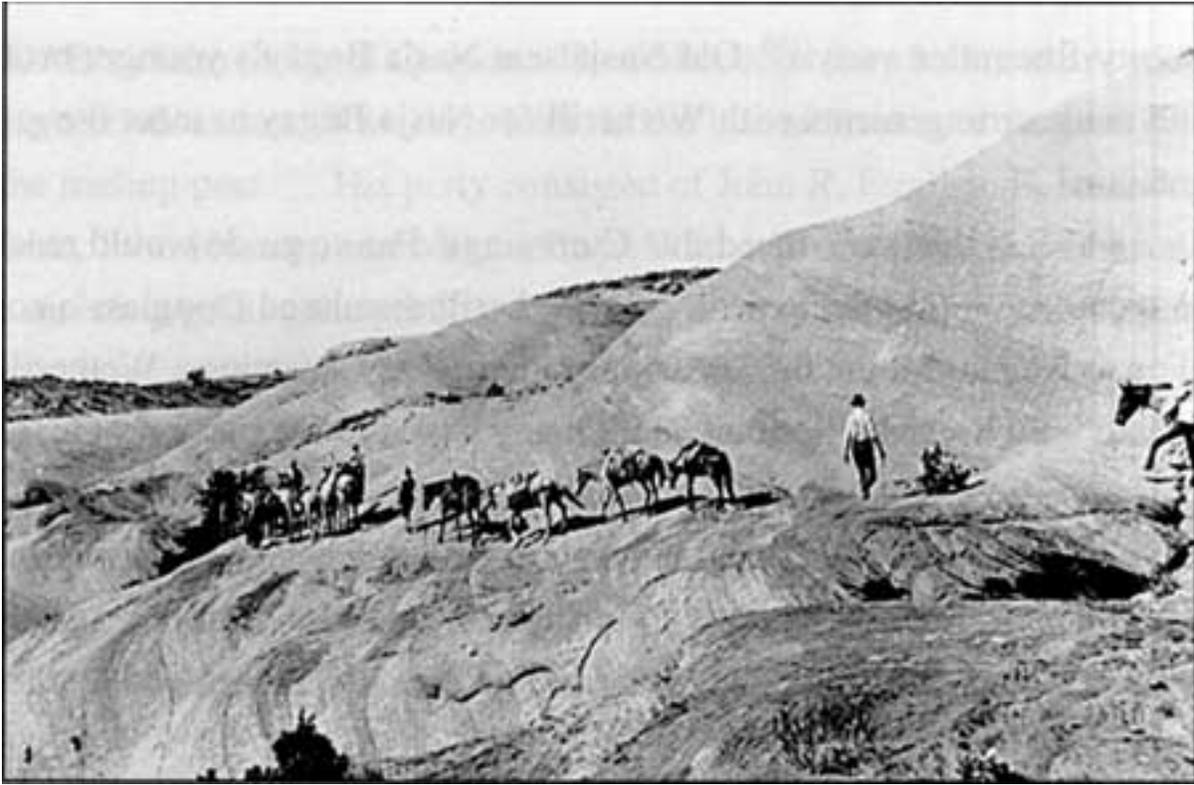


Mrs Wetherill 1912









West 40.00 chains

Wit. Cor. No. 3

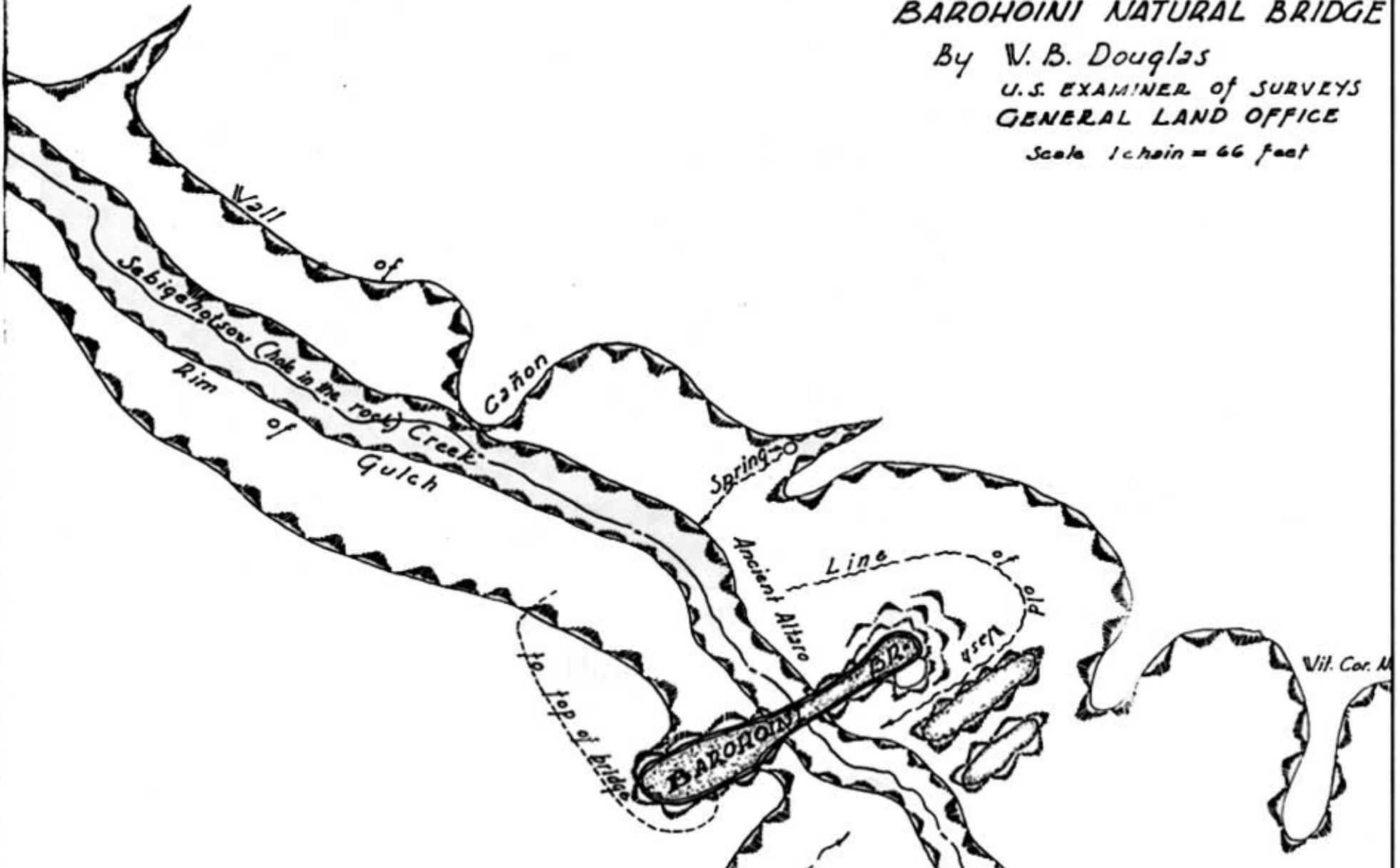
Retraced in original 12-26 JDM

Sketch of BAROHINI NATURAL BRIDGE

By W. B. Douglas

U.S. EXAMINER OF SURVEYS
GENERAL LAND OFFICE

Scale 1 chain = 66 feet

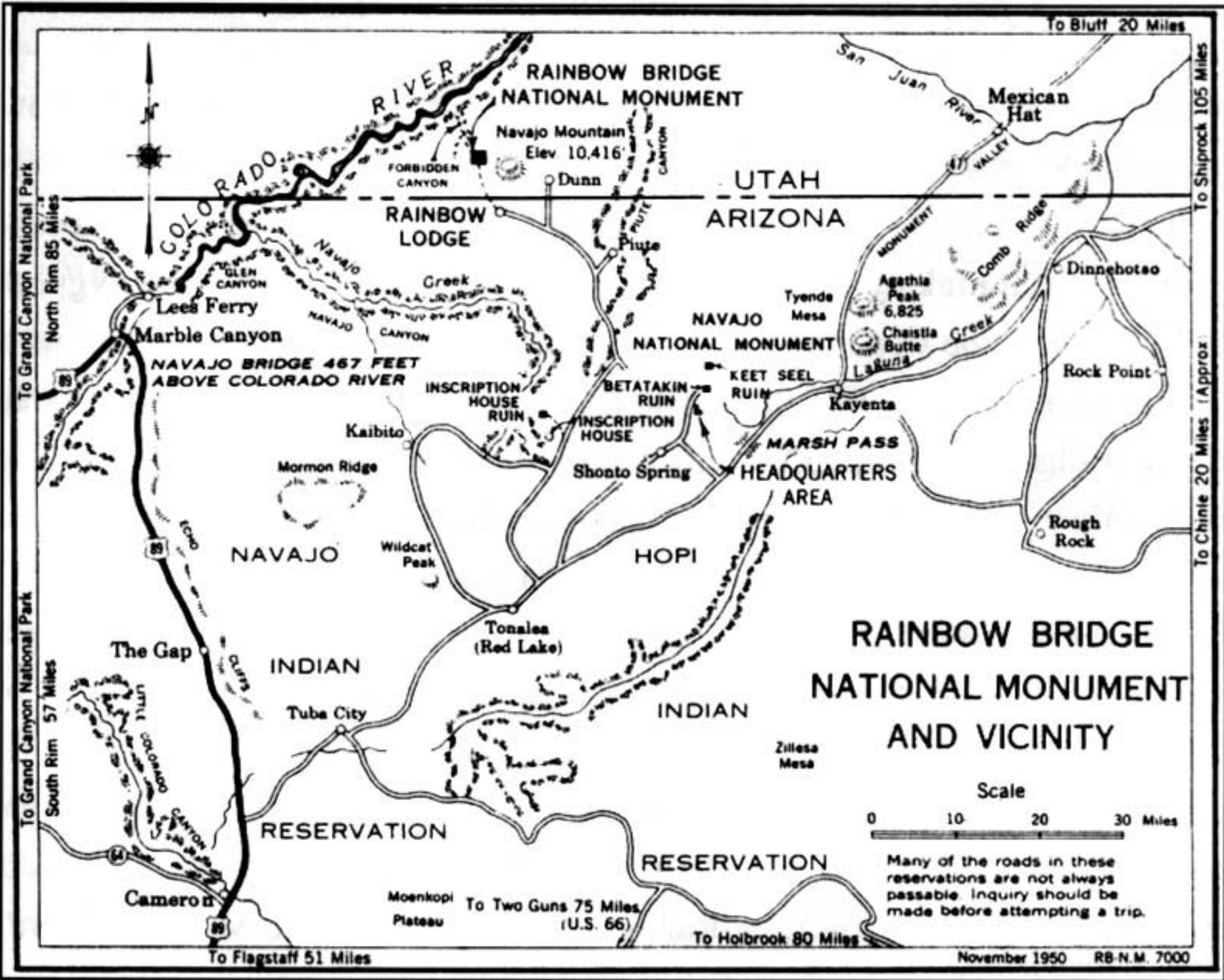




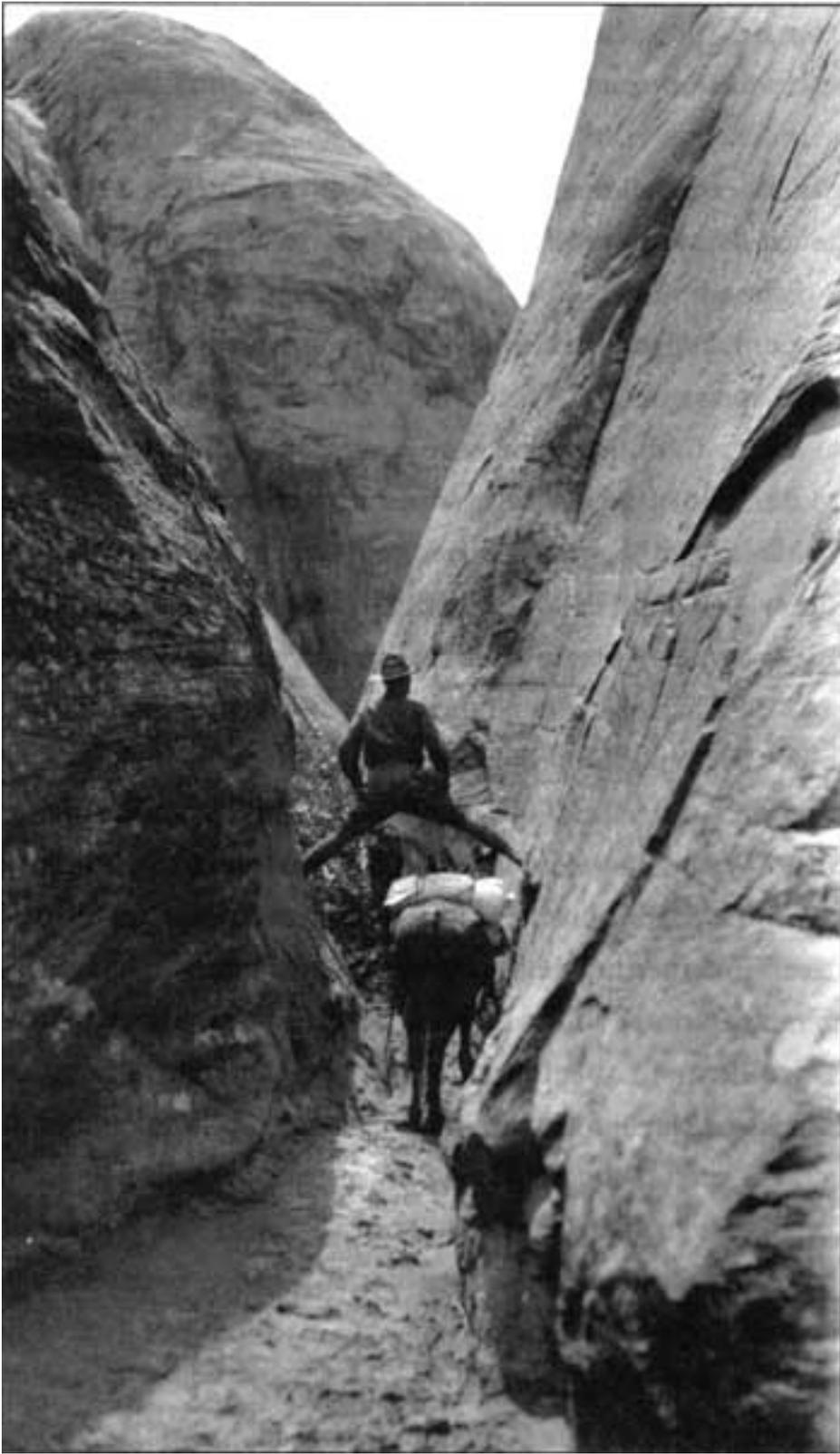


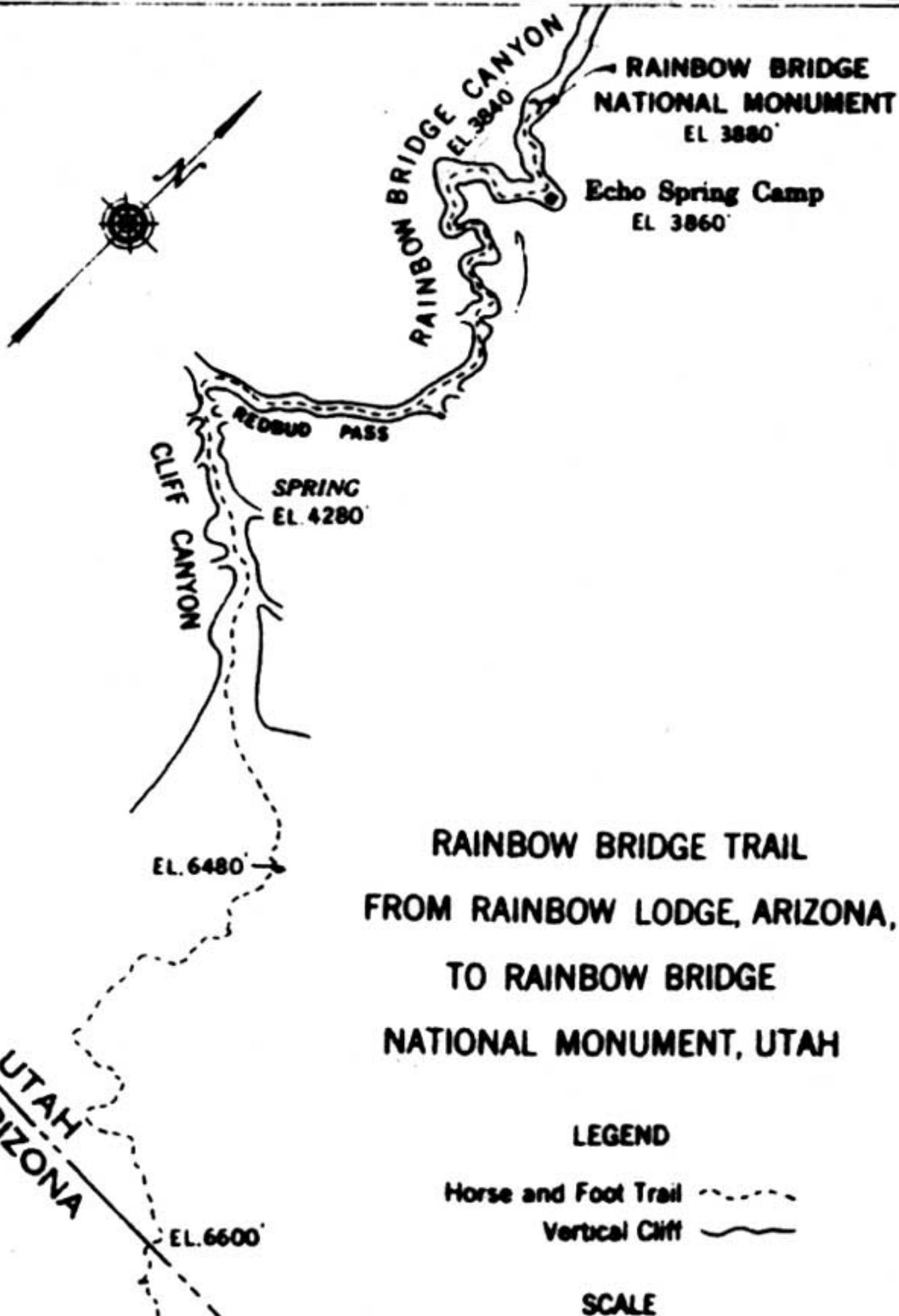












Rainbow Lodge
EL. 6280

SCALE

0 3,000 6,000 Feet

November 1960 RD-PLM 7001



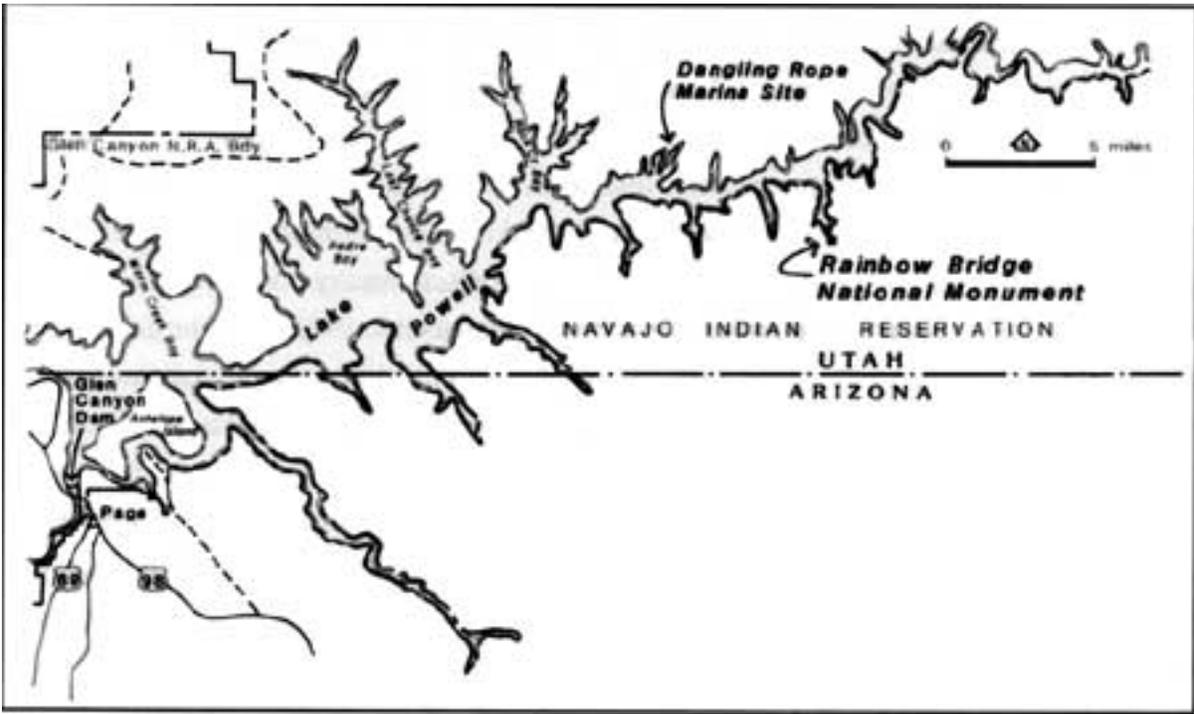






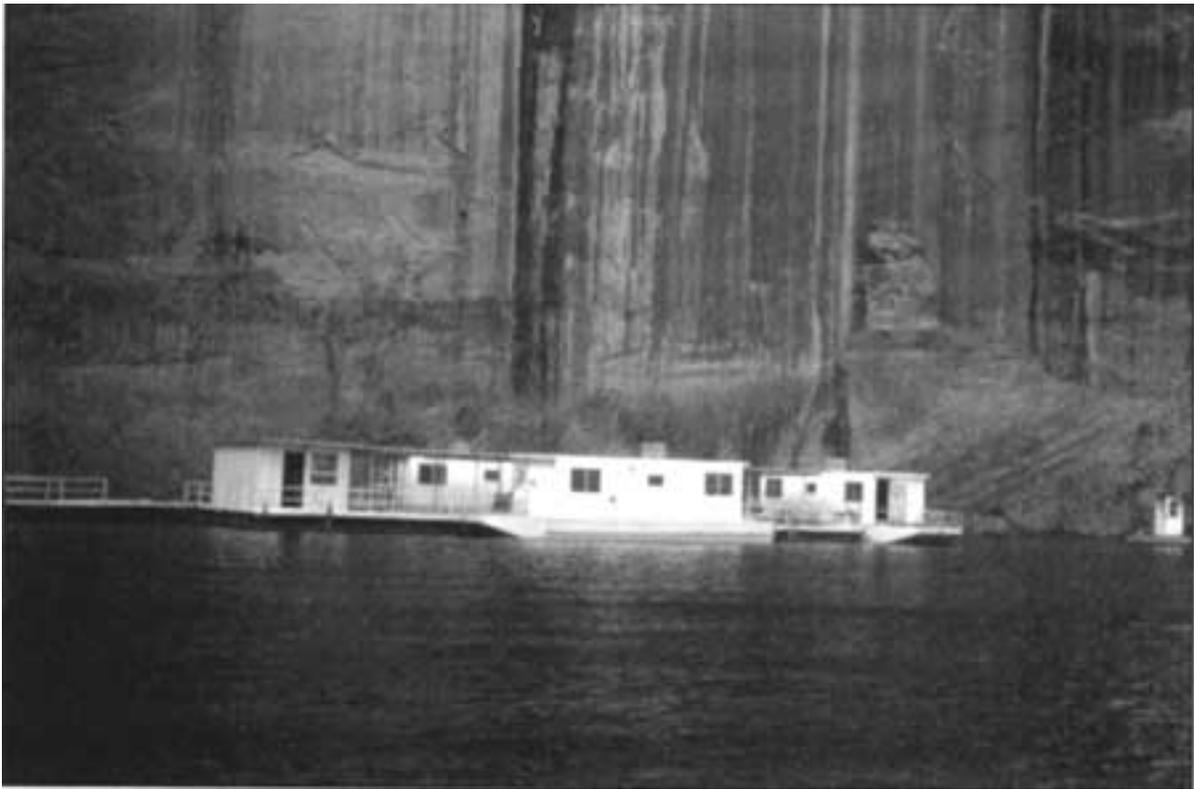












Intermountain Region

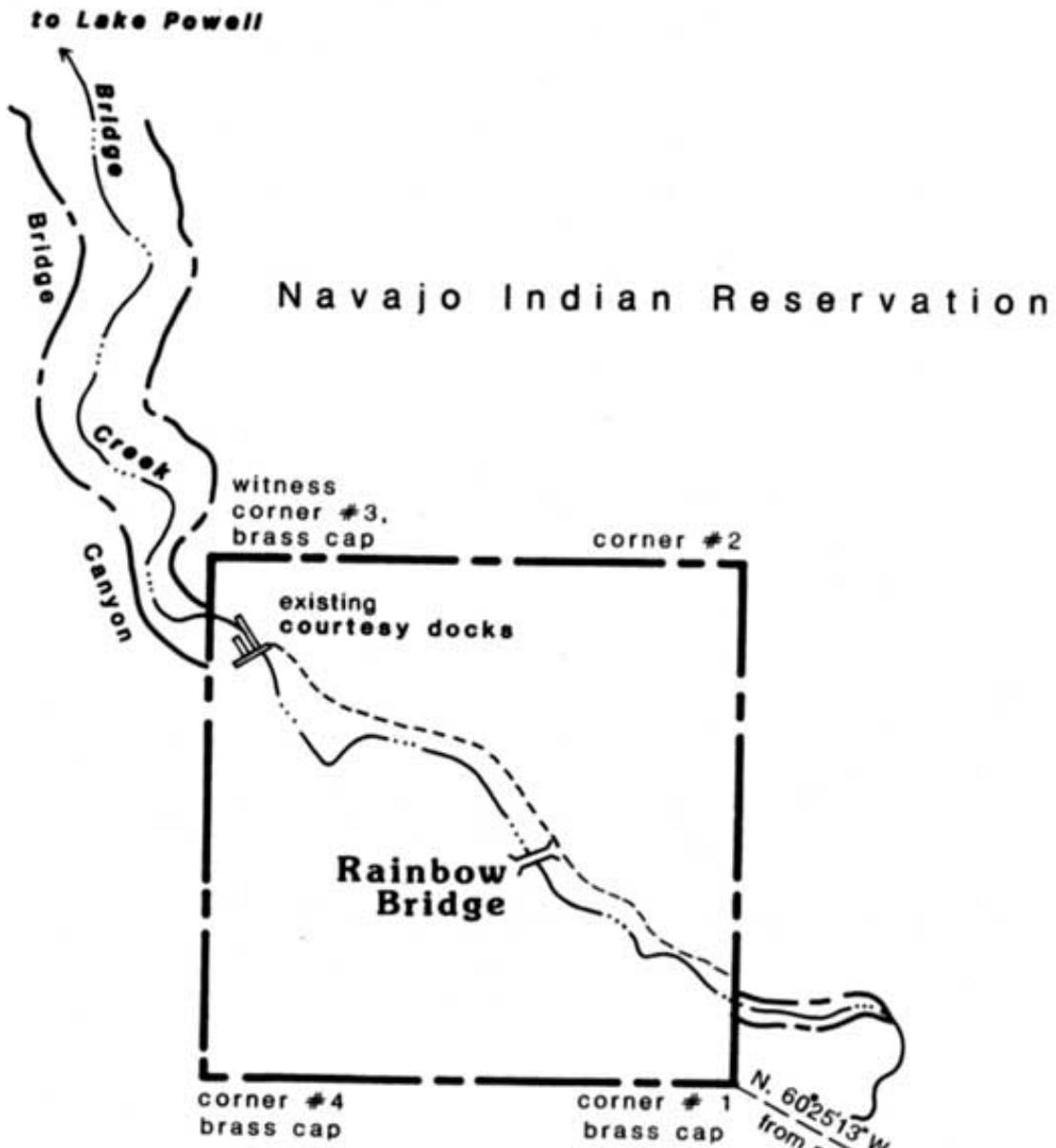
National Park Service
U.S. Department of the Interior



Produced by the Intermountain GIS Office Denver, Colorado

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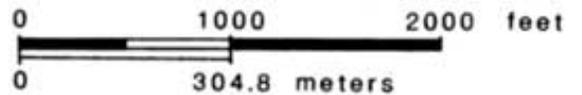
July 2001



Navajo Indian Reservation

legend

- — — — —** monument boundary
- · — · —** Glen Canyon N.R.A. boundary
- - - - -** trail



Boundary Map

Rainbow Bridge National Monument

RAINBOW BRIDGE National Monument

T.43S.,R.8E., Section 1

U.S. Dept. of the Interior - National Park Service

118	80,008
July 85	RMRO

Rainbow Bridge

Administrative History



ENDNOTES

Chapter 1

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Chapter 2

¹⁸ Summary of Remarks by Alan Downer, Rena Martin, Timothy Begay, and Richard Begay, "Navajo Cultural Concerns and NPS Management," in *Report of the Navajo Nation/Navajo Lands Area Superintendents Summit Meeting, April 16-17, 1997*, 6-10; manuscript copy obtained from Capitol Reef National Park, 6-10. The authors point out that the Navajo Nation contends that distinctive Navajo material culture patterns indicate no such migrational entrance into the region occurred. The Navajo Nation points to various archeological evidence in Navajo sites, supported by cumulative tree-ring dates, which suggests an occupation dating from the early 1300s. The more popular date of Navajo entrance, approximately 1500 A. D., fails to account for the idea that for any archeological pattern to emerge, at least 200 more years of activity would have to take place. This places the emergence of Navajo culture in the early 12th century, a date more consistent with occupation of the region by ancestral Puebloan peoples.

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³⁷ Hattie Greene Lockett, *The Unwritten Literature of the Hopi*, University of Arizona Social Science

Bulletin 4, no.2(1933): 43-44; quoted in Johnson, 51.

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⁴¹ Clifford E. Trafzer, *The Kit Carson Campaign: The Last Great Navajo War* (Norman: University of Oklahoma Press, 1982), 4-7.

⁴² Richard White, *The Roots Of Dependency: Subsistence, Environment, and Social Change Among the Choctaws, Pawnees, and Navajos* (Lincoln: University of Nebraska Press, 1983), 212-214.

⁴³ Ethelou Yazzie, ed., *Navajo History* (Rough Rock: Rough Rock Demonstration School, 1971), 24-36.

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⁹⁹ Director of the U.S. Geological Survey George O. Smith to National Park Service Director Stephen T. Mather, April 13, 1918; Mather to Douglass, April 17, 1918; Douglass to Mather, January 19, 1919, NA,

RG 79, E7 1907-1932, Box NM, PISP-RABR; Herbert E. Gregory, *A Geographic and Hydrographic Reconnaissance of Parts of Arizona, New Mexico, and Utah* (Washington, D.C.: Government Printing Office, 1916), 45; Gillmor and Wetherill, 161; Judd, *Men Met Along the Trail*, 100.

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118 Douglass to Commissioner of the GLO; *Santa Fe New Mexican*, May 29, 1917, NA, RG 79, E7 1907-1932, Box NM, PISP-RABR.

119 Jett, 17, claimed that "Douglass was hard of hearing, making use of an ear trumpet on a 30-inch flexible tube (the Navajos dubbed him, 'Man Who Hears Through A Rope')."

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123 Douglass to Mather, February 2, 1919, NA, RG 79, E7 1907-1932, Box NM, PISP-RABR.

124 *Santa Fe New Mexican*, *ibid*; Beauregard, *ibid*; Judd, "The Discovery of Rainbow Bridge," report to Yard; Jett, 28; Hassell, 53; Cummings, 43. There is no evidence that Cummings made measurements on his initial trip to Rainbow Bridge.

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126 Proclamation 1043, May 30, 1910.

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²²² *Wisconsin v. Yoder*, 406 U.S. 205, 92 S.Ct. 1526, 32 L.Ed.2d. 15 (1972).

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Rainbow Bridge

Administrative History



CHAPTER 2:

Life Before the Monument: Human Habitation at Rainbow Bridge and Its Environs (continued)

By the time the Navajo were in the Southwest, the Glen Canyon region was a very active place. Ancestral Puebloan peoples were moving south to the Arizona mesas while Paiutes were forming their own bands along the San Juan river. The environs of Rainbow Bridge, Navajo Mountain, and the greater Glen Canyon were becoming a nexus of Indian activity. The Navajo occupied areas near the upper Chama and San Juan drainages in northern New Mexico around 1500 A.D. This area became the Dinétah (Navajo country). Navajos trace their emergence from the Fourth World, or Glittering World, to this region. A more complete version of the Navajo origin story, told by residents of the Navajo Mountain community, is detailed in Chapter 5. Based on Spanish sources, the Navajo first encountered Euro-Americans in 1541. In that year, Francisco Vasquez de Coronado made his historic trip into the Southwest. After crossing the San Pedro River into what would become Arizona, Coronado and his army pressed through what is now central New Mexico and onto its sprawling eastern plains. Near the Pecos River, Coronado encountered some of the ancestors of the Navajo, the Querechos. Based on the diaries of various observers, these early Navajos were unimpressed with Coronado and unafraid of the Spanish military presence. [41] Indeed, the Querechos were well established in the Southwest, evidenced by their use of horticulture. Spanish colonists arrived in the late sixteenth century, distinguishing the Navajo from other Athapascan peoples as *Apaches de Nabahu* ("Strangers of the Cultivated Fields"). [42]

Navajo oral tradition places the Diné in the Navajo Mountain area between 900 A.D. and 1150 A.D. As the Navajo emerged from the Fourth World, they eventually wandered into the area bounded by the Four Sacred Mountains. [43] During the wandering, they came by Navajo Mountain, finding many wild berries such as chokecherries, wild grape, and wild plum. The Diné stayed in the Navajo Mountain area for many years, enjoying the fruits of their natural surroundings. [44] Although there are large disparities between the archeological record and the oral tradition of the Diné, they were well ensconced in the larger Southwest by the time the Spanish arrived.

Relations between the Navajo and Spanish colonists remained fluid throughout the 17th century. As early as 1629, Friar Alonso de Benevides brokered with the Navajo, arranging peaceful ties between the Spanish at Santa Clara Pueblo and their Navajo neighbors. However, as more and more Spanish moved into the traditional Navajo homeland, the Navajo realized more opportunities to raid and prosper. The Spanish regional government was unaware of the ancestral Navajo tradition of raiding. Raiding was conducted for staples and prestige. The Navajo were accomplished raiders, developing their skills before the Spanish

arrived by raiding the Pueblo Indians in the region. Rarely was anyone injured or killed at the hands of Navajo raiding parties. The Spanish brought horses and sheep into the region, animals that provided much needed bounty to the Navajo way of life. Spanish livestock was the primary goal of Navajo raids throughout the 17th and 18th centuries. Early on, the Navajo focused on Spanish settlements along the Rio Grande. [45]

What could have been a source of extensive economic and geographical expansion proved just the opposite for the Navajo. Although Navajo power was great in the region, Navajos still had to compete with northern tribes for territorial hunting grounds on the southern Great Plains. These tribes, including the Comanche, Pawnee, and Wichita, were better armed with weapons acquired from English and French traders. The Navajo only expanded for about one hundred years, finding their military match not in the Spanish but in the northern tribes. As a result of being squeezed between the Plains tribes to the north and the fortified Spanish to the south, the Navajo expanded within their traditional Dinétah. Spanish settlers and their Indian allies began reciprocating Navajo raids during this time. The Spanish raided for livestock and slaves. By the time the American military arrived in the region in the mid 19th century, the local Navajo and New Mexican populations had been raiding each other for well over one hundred years. Immense resentments and feuds were extant which did not favor the Navajo.

Raiding on the Spanish changed the Navajo lifeway forever. The introduction of horses, cattle, and most importantly sheep, to the Navajo economy helped the Navajo become the most self-sufficient Athapascan group in the Southwest. Dobyns and Euler refer to this period of mixed hunting, agriculture, and livestock domestication as the development of the triadic economy. Other Athapascan groups relied on the dual economy of hunting or raiding for meat and minimal agriculture for vegetable nutrients. These non-Navajo groups did not domesticate the livestock they acquired. Conversely, the Navajo, specifically Navajo women, began raising sheep for sustained use. While economic raiding was primarily a male dominated activity, Navajo women assumed the task of tending flocks of sheep while also trying to maintain horticulture. The Navajo sheep provided an enormous source of protein to the Diné. Sheep could be raised easily in the climate of the Southwest, and natural predation was extremely low. With this consistent source of fat and protein available to the Diné year-round, Navajo populations flourished during a time when most northern Native American groups were dwindling. Dobyns and Euler contend that the strong nutritional basis of the Navajo diet made all the difference when Navajos encountered disease or drought. [46]

The emerging clan structure of the 17th century Navajo made for great cultural fluidity. Men moved into their new spouse's camp, often marrying their new wife's sister as well. As the extended family units grew, various families interacted with each other and formed semi-formal land use communities. These communities always remained faithful to their primary clan affiliations but managed to coexist in pursuit of mutually beneficial land management. During this period the clans and extended family groups remained non-centralized; the contemporary concept of "tribe" was still forthcoming. Family groups operated relatively independently of the larger clans and were not responsible for or to each other. [47] This lack of a larger political structure proved very troublesome to the United States military in the 19th century when it tried to negotiate treaties that would oblige all Navajos to the terms of the treaty. The Diné simply had no centralized structure that would allow these treaties to be effective.

The Navajo expanded within the confines of the Four Corners region throughout the 17th and 18th centuries. The 19th century was not as hospitable for Navajo culture. Like the Great Plains to the north, the American

Southwest was a target of Anglo westward expansion. After Mexico gained its independence from Spain in 1821, Mexican settlers expanded in every direction throughout the Southwest. During this period the incidence of violent contact between Navajos and Mexican settlers increased. Mexican military personnel were scattered along the southern edge of the traditional Navajo homeland. However, the newly formed Mexican government endured extended periods of turmoil during its early years Mexico found it difficult to maintain the frontier to the north and gradually phased out military control. The steady influx of Americans also added to the broil. American grazing and mineral interests soon eclipsed those of the Mexicans. But they shared a common foe in the Navajo, who were immune to the political imbroglio that was mounting between the United States and Mexico. Raiding continued to be an important activity to the Navajo and a constant source of anger to settlers. Mexican and American settlers retaliated frequently against Navajo bands. After 1848, however, Navajo fortunes took a dramatic turn for the worse.

In 1845, the United States government declared war on Mexico. The war concluded with the 1848 Treaty of Guadalupe Hidalgo, which placed the Navajo and their homeland squarely under the control of the United States government. The Americans were less than sympathetic to Navajo land claims in the region. The interests of American settlers, as well as those New Mexicans that fell under American control, were first and foremost to the new government. In Arizona, the Navajo also felt the pressure of expanding Anglo grazing interests which forced the Navajo and their flocks further north. Fortunately for the Diné in the Navajo Mountain region, this pressure was minimized by distance. Navajo Mountain was too far removed from the southern periphery of Dinétah, and so the basic pattern of Navajo life continued near Navajo Mountain. There were also very few Navajos in the mountain's environs in the mid 19th century [48]

The United States government, through its growing military presence in the Southwest, tried to negotiate with the Navajo. American military commanders signed five separate treaties with the leaders of various bands between 1846 and 1860. Each treaty was designed to accomplish three objectives: end Navajo raiding, limit the land base of the various bands, and encourage all Navajos to adopt a farming lifestyle which would make them more productive as Indians and less combative as neighbors. [49] In each instance, the Navajo violated the treaty's terms. The United States government as well as local military personnel did not understand Navajo culture well enough to comprehend the truly independent structure of Navajo bands. When one band leader signed a treaty, his authority extended only to the members of his band, not to the Navajo tribe as a whole. But the Americans thought just the opposite. As a result, raiding continued and Anglo hostility toward the Navajo intensified. In 1846, General Stephen Watts Kearny announced that the American military would end Navajo raids and bring order to the Southwest. It was a promise New Mexicans and Navajos would never forget. [50]

By 1862, American military personnel were unable to stop Navajo raiding. Hostilities were at their apex when Brigadier General James H. Carleton arrived on the scene. Because of the failure of numerous treaties and the increasing number Navajo attacks on civilian and military targets, Carleton felt he had to act. He ordered the removal of all Navajos to a reservation at Fort Sumner, near Bosque Redondo. Some historians claim that Carleton was simply bowing to the pressures of recent gold fever in New Mexico. By the summer of 1863, Carleton was not satisfied with the removal process. He brought Colonel Christopher "Kit" Carson from Taos to lead troops into the heart of Dinétah and eliminate the Navajo "threat."

Carson embraced his new duty with vigor, waging a "scorched earth" campaign against any and all Indians

in the region. Carson and his men burned orchards, crops, destroyed hogans, and killed thousands of Navajo sheep and cattle. Within eight months, most of the remaining Navajos surrendered to Carson. They were marched to Fort Sumner and incarcerated. [51] This event is now known as the Long Walk. The Navajo Mountain community achieved historical prominence as a result of the Carson campaign. During the conflict, an unknown number of Navajos fled northwest to the canyons of Glen Canyon and avoided the Long Walk. Hashkéniinii was the most famous of these fleeing Navajos. [52] Historians vary on the estimated number of Navajos that Hashkéniinii led into the canyons below Navajo Mountain. The numbers range from two dozen to over one hundred. Regardless, he and his followers remained unmolested at Navajo Mountain during the remainder of Carson's campaign.

After word spread of the excellent protection afforded by Navajo Mountain's canyons and mesas, hundreds of Navajos joined Hashkéniinii. Navajos found the terrain formidable but suited to their need for concealment. Carson never pursued the Navajos beyond the San Juan River and so the environs of Navajo Mountain became home to a healthy population of Diné. The mountain's ecosystem provided wild foods and grazing land for Navajo flocks. These Navajos were quite taken with their new surroundings and with the divine providence that its protection represented. [53] Navajos viewed the mountain and its surrounding canyons with great reverence, identifying the region as a gift from the gods. [54]

In their new home, the Navajo Mountain Diné found a safe and compatible lifeway. Their presence around Navajo Mountain intensified the region's reputation among Anglos as "hostile territory" and thereby limited Anglo encroachment. In addition, by 1868 the American government no longer wanted the financial commitment of feeding more than 5,000 Navajo at Bosque Redondo's Fort Sumner. The Navajo endured four years of privation and internment before the Americans gave up. On May 28, 1868, General William Tecumseh Sherman and Colonel Samuel Tappan arrived at Bosque Redondo and began negotiating terms for a new treaty that would let the Navajos go home. On June 1, 1868 twenty-nine Navajo headmen placed their marks on the treaty and the Navajo were free. The Treaty of Bosque Redondo allowed for a large, defined reservation in the Dinétah, supplies of grain, and the return of 14,000 sheep to support the Navajo lifeway. [55]

The Diné at Navajo Mountain avoided the Long Walk as well as Fort Sumner. The events of the Carson campaign and the Long Walk made the Navajo Mountain community unique among the Navajo Tribe. They were immune from American attempts to make Navajos dependent on federal largesse. They also managed to retain a strong sense of their traditional culture and belief structures without the pain of American retribution. Effectively, the Navajo Mountain Diné endured prolonged conflict with the Americans and gave up little more than geography as the price of survival. Under the terms of Bosque Redondo, the Navajo Tribe continued to expand and profit for the remainder of the 19th century. The best data available indicate that the Navajo population increased an average of 2.4 percent each year between 1870 and 1900. In addition, sheep populations multiplied from 15,000 in 1869 to nearly 650,000 by 1907. [56]

In terms of proximity, the San Juan Band of Southern Paiutes is the next most significant group of Native Americans living in the Navajo Mountain/Rainbow Bridge area. The San Juan Paiute are an offshoot of Southern Paiutes. Approximately 3,000 years ago, Uto-Aztecan groups expanded south from their northern homelands. By 1000 A.D. these groups, consisting mainly of Northern Paiute, Southern Paiute, and Shoshonean peoples, were well ensconced in the Great Basin. During this period, these Numic speaking

peoples intermingled with Fremont Complex peoples. [57] They gradually moved southwest into California and southeast into southern Utah and northern Arizona. The Southern Paiute refer to themselves as Nuwuvi. The official Nuwuvi tribal history claims that "although culturally related to such tribes as the Shoshone, the Utes, and the Northern Paiutes, the Nuwuvi spoke a slightly different language and had their own separate cultural identity." [58] In general, the term Southern Paiute refers to Uto-Chemehuevi groups.

The San Juan Paiutes replaced much of the Pueblo culture they encountered. In southwestern Utah, archeologists have excavated the distinctive ceramic remains of the Southern Paiutes in direct connection with Pueblo remains dated approximately 1150 A.D. The Southern Paiute pottery was rust colored and conical in shape, decorated with small incisions in circular patterns. Their pottery was highly differentiated from the Pueblo remains which were characterized by black/white or black/yellow coloring. The Southern Paiute probably first occupied the San Juan River region 1200 A.D. and 1300 A.D. The group closest to Navajo Mountain became known as the San Juan Band. [59]

Upon their arrival in the Southwest, the San Juan Paiute were a hunting and gathering population. They possessed no territory-wide political structure but did demonstrate a broad, uniform culture evidenced in both language and pottery. They employed highly adaptive subsistence patterns, making use of an array of food stuffs and natural materials. Archeological evidence suggests that the San Juan Paiute, operating northwest of Navajo Mountain, gathered various wild plants and hunted both rabbits and mountain sheep. They employed long bows and arrows as well as nets for this pursuit. Their homes during this period were a combination of temporary camps in their larger home territory and permanent settlements along the Little Colorado and San Juan rivers. During their occupation of the Southwest, they probably learned the rudiments of horticulture and corn processing from their Puebloan neighbors. This made it possible for the San Juan Paiute to establish sedentary lifeways and allowed them to become ensconced in the area west and north of Navajo Mountain. Various excavations have yielded milling stones used to grind corn, piñones, seeds, and meat. These stones differ from those used by Pueblos. [60] By the end of the 16th century, San Juan Paiutes were firmly settled along the San Juan River and in close proximity to Navajo Mountain. [61]

There is early documentary evidence of San Juan Paiute north of Navajo Mountain. In 1776, Franciscan Fathers Atanásio Dominguez and Silvestre Vélez de Escalante led an expedition out of southern New Mexico into Utah. They moved north, circling much of the Wasatch Range, after which they headed south to present day Cedar City. There they encountered Paiute groups with semi-developed horticultural practices. Dominguez and Escalante then traveled east to the Colorado River, stopping at what is now called Lee's Ferry. The expedition traveled another forty miles before finding a fordable section of river. This spot is known today as the Crossing of the Fathers. On the south side of the river the expedition encountered a small group of San Juan Paiutes. Escalante wrote that "eight or ten leagues [25-30 miles] to the northeast of the ford there is a high, rounded peak which the Payuchis, whose country begins here, call Tucane [Navajo Mountain]." [62] Later in the trip and further southeast, Dominguez and Escalante stopped on the rim of the canyon above Navajo Creek. At a point on the mesa they saw "ranchos of the Yutas Payuchis, neighbors and friends of the Cosninas." [63]

As the number of competing groups increased in the larger Navajo Mountain region, raiding patterns and politics also changed. The role of various Ute groups as well as Hopi in the area suggests that the Navajo Mountain region was on the territorial periphery of both Utes and Hopis. Eventually the San Juan Paiute

occupied a fairly distinct area near Navajo Mountain. Ethnographer Isabel T. Kelly defined their territory as "the area extended from Monument Valley to the Little Colorado and from the San Juan River to Black Mesa and the Moencopi Plateau." [64] This was a wide area, only the core of which was shared with the Navajo. Ute bands, specifically Weeminuche and Capote Utes, lived further east on the San Juan River but ranged in and out of the Navajo Mountain area. To the south were Hopi peoples who also made use of the resources on the southern slopes of Navajo Mountain. Moving to the San Juan region after 1300 A.D., the San Juan Paiute found much of the land they needed inhabited by Utes. The Weeminuche Ute claimed much of the San Juan as their own. Even though these eastern Ute groups shared a Numic linguistic pattern with the San Juan Paiute, the Weeminuche took advantage of their own mastery of horses in their pursuit of San Juan Paiute slaves. The Weeminuche preyed heavily on the San Juan Paiute all through the 18th and 19th centuries.

These Ute bands also targeted Navajos in their slave raids. The San Juan Paiute were not as quick to adopt sedentary livestock activities, perhaps because of their unwanted status as valuable slaves. [65] Navajos reciprocated against the Utes in terms of slaving and conducted a semi-profitable trade with their southern neighbors. These hostilities existed right up to the 1860s when the American government decided it would no longer tolerate tertiary aggression against its white citizens. However, it is fairly clear that the dynamics of the Navajo Mountain region as well as the larger Southwest were well established before the arrival of Americans and Mexicans. The politics of cooperation and conflict preceded any Anglo attempts to corral Native Americans and force them into the ill-fitting role of yeoman farmer.

It was around this time that the San Juan Paiute who were closest to Navajo Mountain were absorbed by the local Navajo population. Sometime after 1800, tensions between the San Juan Paiute and the Navajo became less important than the pressure both groups were encountering from the Utes to the northeast and the Hopis and New Mexicans to the south. San Juan Paiutes intermarried with Navajos and adopted clan affiliations along matrilineal lines. [66] There was always a distinct cultural fluidity among the Navajo when it came to adopting non-Navajos into clans. Navajo raiders often returned with female Ute, Mexican, or Puebloan captives. These captive women would usually bear children as monogamy was not the common practice among Navajos during this period. The Navajo response was to expand the aboriginal clan structure to account for these new additions to the population while maintaining the matrilineal structure of marriage and property ownership. Like other Native American societies, the Navajo assigned a less important social status to non-Navajos and their descendants; however, these assimilated captives retained the full benefit of Navajo rights in terms of property and inheritance. [67]

Another important part of the history of Rainbow Bridge NM occurred in the late 19th century as a result of the Treaty of Bosque Redondo. That treaty authorized the creation of the Navajo reservation, which surrounds the present-day monument. The original treaty reservation covered over three and a half million acres. Although the reservation represented only a fraction of the original Diné'tah, it did offer some geographic continuity to Navajos. During a period when most tribes were being removed from their ancestral homelands to wholly unfamiliar areas, the Navajos were allowed to return to their own territory. Historian Peter Iverson notes that the ability of the Navajo to remain in their traditional lands and expand their territory almost four-fold is a testament to their tenacious roots in the region as well as the degree of value the United States government assigned to Navajo lands. [68] Another section of the Navajo reservation, known as the Paiute Strip, became a contentious issue to early visitors to Rainbow Bridge. The

history of this specific section of the reservation, which surrounded Rainbow Bridge, is detailed in Chapter 4. Briefly stated, the conflict between whites and Navajos in the late 19th century did not conclude with the Treaty of Bosque Redondo. The area that the present-day monument occupies was embroiled in dispute long before Anglos ever laid eyes on the span of Rainbow Bridge.

There is excellent documentation of early Anglo travels in the canyons of Rainbow Bridge. The possibility that Spanish explorers found Rainbow Bridge in the 17th or 18th centuries remains remote. Generally these expeditions, such as the Dominguez-Escalante expedition of 1776, were heavily laden with men, horses and supplies. Moreover, given the religious motivations of many Spanish conquerors, there would have been little incentive to deviate from less difficult trails if there were no potential converts to be gained in the remote canyons surrounding Rainbow Bridge. If one accepts the veracity of a Latin inscription at Inscription House, located some fifty miles from the bridge, then Spanish explorers were in the region as early as 1661. But there is still little chance that large-scale expeditions made it up or down the narrow terrain of Bridge Canyon or Forbidding Canyon. The fact that no artifactual evidence has been discovered to support claims of early Spanish intrusion suggests it is a theory waiting to be proven.

In the 19th century, Anglos did encounter Rainbow Bridge and left certain evidence of those sightings. Many historians have inferred early 19th century visitation by fur trappers based on evidence found in areas near the bridge. Historian Stephen Jett contends that inscriptions left by Herman Wolf, Fred Smith, and W. C. Seifert near Navajo Mountain indicates Rainbow Bridge was likely observed during fur-trapping reconnaissance. [69] Historian C. Gregory Crampton claims that an 1836 inscription found in Cataract Canyon, attributed to French trapper Denis Julien, suggests an equal probability that Bridge Canyon and Forbidding Canyon were scouted during the great American fur-trading epoch. The inscription was first noticed by Robert B. Stanton in 1889 during an extended survey of Glen Canyon and the Colorado River. [70]

During the 19th century a rumor evolved about a great silver mine somewhere between the San Juan River and Navajo Mountain. It was the same El Dorado-style legend that developed elsewhere in the Southwest. Miners came and went throughout the middle of the 19th century in search of this great lost mine. In the 1880s, Cass Hite came to Glen Canyon and found placer gold near Dandy Crossing. Word spread and a small rush took place until the end of the decade. But in 1892, after miners discovered gold on the San Juan near Navajo Mountain, Crampton claims that every canyon nearby was prospected from top to bottom. [71] Neil Judd, one of the members of the first "official" expedition to locate Rainbow Bridge in 1909, acknowledged in a 1967 article that his party found mining tools at the mouth of Forbidding Canyon, less than five miles from the bridge. [72]

Given the topographic allure of Navajo Mountain as a mineral-bearing source, it seems altogether likely that prospectors hungry for wealth traversed all of its nearby canyons. The search for gold often led to new geographic data in the American West, and there is no reason to believe that the environs of Rainbow Bridge would be an exception to that pattern. In a statement taken by his daughter in 1929, William F. Williams claimed that he and his father, along with Chief Hashkéniinii, went in search of the infamous silver mine of the San Juan. Hashkéniinii led them to Bridge Canyon where they all saw the bridge first hand. Williams dated his first trip to the bridge as November 20, 1884. Williams also claimed that on the east buttress of the bridge, the names of Billy Ross, Montgomery, George Emmerson, Jim Black, Ed Randolph, and Wydel

were clearly etched in the stone. [73] Secondary confirmation of these claims came in the form of a personal statement made by Jim Black, a prospector in the area during the late 19th century. In July 1930, Black claimed that during his three trips to the bridge in the 1890s he observed more than thirty names carved into the bridge and its nearby walls. In his statement, Black corroborated many of the same names Williams had detailed in 1929. [74] Why all these inscriptions were absent when the Cummings/Douglas party arrived in 1909 might never be known. Climatic patterns after 1884 could account for erosion of the original inscriptions. Vandalism is another possibility. In his article tracking the historical debate over who "discovered" Rainbow Bridge, Stephen Jett went so far as to volunteer personal observations of inscriptions near the foot of Navajo Mountain. These inscriptions were dated in the 1880s, corroborating some of the anecdotal proof that men like Emmerson, M.S. Foote, and J.P. Williams located the bridge before 1900. [75] Regardless, there is enough circumstantial evidence from mining related activity near Rainbow Bridge to say that non-Indians observed the bridge some time before the 20th century.

It is not surprising that the history of early human activity at Rainbow Bridge has taken a back seat to the more popularized 20th century accounts of "discovering" the bridge. Human contact with the bridge before the 20th century was characterized by minimal artifactual evidence, rumors, and a lack of photographs. But there is little doubt that humans have known of the bridge for many thousands of years. There is enough archeological evidence near Rainbow Bridge to suggest that it may have been seen by humans as early as 6000-4000 B.C. Evidence closer to the bridge, including the hearth uncovered in 1994, confirms that the bridge was utilized for any number of purposes at least one thousand years ago. This reality was not lost on those Anglos who first documented the location of Rainbow Bridge. As explained in Chapter 3, men like John Wetherill and Neil Judd admitted readily that other humans had come before them. As the 19th century closed, however, word of the bridge was out. Trapper, miners, and Navajos living nearby knew the great stone arch was in a tight canyon just off the north slope of Navajo Mountain. Having traveled in and around the region throughout the 19th century, seeing its many wonders and natural features, those men and women probably felt awe at the bridge's span without feeling the need to boast of its existence. They simply left their marks on the bridge or nearby canyon walls, just as men like John Wetherill and Zane Grey did in the 20th century.

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CHAPTER 3:

Searching for Rainbows: The Cummings/Douglass Expedition (continued)

One fact remains troubling in light of the controversy that began after the bridge was found. In July 1909, after Cummings was already in Tsegi Canyon exploring various ancestral Puebloan sites and planning an August expedition to find Rainbow Bridge, John Wetherill mentioned the bridge to an unlikely recipient. Herbert Gregory, a geologist for the U.S.G.S., was near Oljeto conducting a hydrographic reconnaissance of different areas. Gregory must have stopped at Oljeto for supplies and encountered Wetherill. Numerous sources confirm that John Wetherill informed Gregory of the certain existence of the great rock rainbow. [99]



Figure 12 Betat' akin in Navajo National Monument (Stuart M. Young Collection, NAU.PH.643.1.100, Cline Library, Northern Arizona University)

Gregory was forced to decline any excursion to the bridge in favor of his own work for the U.S.G.S. But one is left to wonder at Wetherill's motivations in tipping his hand to a government official six weeks prior to a planned expedition with Cummings. His antipathy toward Progressive Era bureaucrats was well documented

by this time, but perhaps he was beginning to soften. Including a representative of the U.S.G.S. on the inevitable trip in August would have lent an air of official sanction to the endeavor. Wetherill knew the value of including the government and the costs of trying to exclude them. This conciliatory gesture to government authority goes a long way toward explaining Wetherill's later attempts to appease William Douglass and his eventual efforts to include Douglass in the expedition to the bridge.



Figure 13 Keet Seel in Navajo National Monument (Stuart M. Young Collection, NAU.PH.643.1.76, Cline Library, Northern Arizona University)

William Douglass was facing many issues related to Byron Cummings in August 1909. While in Utah to resurvey the newly created Navajo National Monument (NM). Douglass learned through others that Cummings and his party were excavating and collecting inside the boundaries of the new monument. Being the regulatory hawk that he was, Douglass was more than a little perturbed. He knew that Cummings was operating under a permit issued to Edgar L. Hewett, director of research for the Archeological Institute of America. The fact that Hewett was not present on the dig left Cummings in technical violation of the Antiquities Act. [100] Douglass's disposition was evident in his correspondence. Writing to Dr. Walter Hough of the National Museum, he said:

The expected has happened! I learn here that Prof. Hewett and Prof. Cummings went into the reserved ruins about six weeks ago . . . I fear they are excavating. If any permit was issued to them I feel certain it was done under a misunderstanding as to where they intended to work. I have just wired and written the General Land Office for authority to stop the work and prevent the removal of any archaeological remains.

P.S. Since writing the foregoing I have just seen Mr. Wetherill. He says that the GLO issued the permit to Prof. Hewett . . . He is not in the field now and Prof. Cummings is doing the work. He has obtained a very remarkable collection and unless stopped it will land in the museum of the University of Utah. [101]



Figure 14 Inscription House in Navajo National Monument (Stuart M. Young Collection, NAU.PH.643.1.59, Cline Library, Northern Arizona University)

Douglass informed Wetherill of his intention to stop Cummings' work at Navajo NM and to annul Hewett's permit. For Douglass, there was no room for pot-hunting in protected space. He saw little difference between pot-hunting and the work Cummings was engaged in. Wetherill rode back to Oljeto and then to Tsegi Canyon to give Cummings the bad news. [102] Before ever meeting one another, Cummings and Douglass were at odds. Cummings began to perceive Douglass as unreasonable and ill informed. Douglass already viewed Cummings as no better than Richard Wetherill.

John Wetherill tried to play the part of peacemaker. He knew that no good could come from a rivalry between federal bureaucracy and paying clients. Wetherill had a vested interest in the happiness of both parties and had more to lose than anyone if a war erupted over regulations. [103] When Wetherill arrived in Tsegi Canyon, he brought with him some mail for Cummings. A letter from friends in Bluff told that Douglass was attempting to cancel Hewett's permit and intended to confiscate any artifacts collected by Cummings. Douglass was also on his way to Oljeto to mount an expedition to the bridge. Wetherill was now in a difficult position. He had not informed Cummings of his meeting with Douglass the previous December or of his passing on knowledge of the bridge to Herbert Gregory. Wetherill knew that if they left for Navajo

Mountain immediately they could beat Douglass to the trail and the bridge by four or five days. Wetherill kept his misgivings to himself and advised Cummings that they should strike out for the rock rainbow. Cummings decided that the party should return to Oljeto and wait for Douglass's party and attempt to iron out any difficulties with the GLO. Cummings had no reservations about joining forces with Douglass in an attempt to find Rainbow Bridge. After all, Cummings' primary concern was his excavation in Tsegi Canyon. Rainbow Bridge had waited all summer and could wait a few more days.

Byron Cummings' Utah Archeological Expedition consisted of Stuart Young, Neil M. Judd (Cummings' nephew), Donald Beauregard, and Cummings' youngest son Malcolm. That summer the group located two very important sites: Keet Seel and Inscription House. Wetherill already knew of Keet Seel from his brother Richard but no academic excavation or cataloguing took place before Cummings arrived. In July, Wetherill led Cummings to another set of dwellings forty miles west of Keet Seel, near Nitsin Canyon. After feasting with a Navajo named Pinieten (Hosteen Jones), Cummings was guided to a small dwelling nearby. The site was a cave pueblo of about thirty rooms that sat in a shallow cave on the southwest side of the canyon. The Wetherill's children, Ben and Ida, were with the party during this trip, as was Malcolm Cummings. Youthful curiosity led the children to explore the various rooms of the site. They removed some debris from one of the walls in a small room and discovered writing on the wall. The words appeared to the group as *1661 Anno Domini*. Interpreted as the markings of some early, unrecorded Spanish expedition, Cummings named the site Inscription House. The group made a cursory survey of the area and returned to Keet Seel. [104] It was after this side journey that Wetherill returned to Oljeto and discovered that Douglass was making plans to shut down the Utah Archeological Expedition. Failing to make peace with Douglass in Bluff, Wetherill returned to Tsegi and tried to convince Cummings to head directly to the bridge. As mentioned previously, Cummings would have none of it and looked forward to confronting Douglass.

Soon after departing for Oljeto on August 7 or 8, Cummings and his group made one unscheduled stop. John Wetherill had heard from Navajos in the area of another dwelling, perhaps larger than Keet Seel. They stopped at the hogan of Nedi Cloey, whose wife addressed Louisa Wetherill. Cloey's wife learned through conversation that the group was searching for dwellings of the Old Ones. She told Louisa about a large dwelling up a side canyon that her children had found while herding sheep. Cummings gave Cloey's son-in-law, Clatsozen Benully, five dollars to guide them into the canyon. Two miles away, in a cave-like overhang at the end of an unnamed box canyon, stood Betat' akin (Hillside House). Betat' akin consisted of more than 150 rooms, with artifacts and pottery sherds scattered throughout. Because of their pressing commitments in Oljeto, Cummings and the group only stayed a little over an hour. Before leaving, however, Stuart Young took a memorable series of photographs that captured Betat' akin in an undisturbed state. [105] In this renewed framework of discovery and excitement, John Wetherill, Byron Cummings, and the Utah Archeological Expedition (UAE) returned to Oljeto and their appointment with William B. Douglass.

The party arrived at Oljeto on or about the evening of August 8 or August 9. William Douglass was nowhere to be found. Cummings insisted on waiting for Douglass to try and secure the UAE's claim in Tsegi Canyon. The collections they had made needed to be protected from confiscation. Two days later, in the late afternoon of August 10, Douglass arrived at the trading post. [106] His party consisted of John R. English, F. Jean Rogerson, Daniel Perkins, John Keenan, and Mike's Boy. Wetherill and Cummings had already spent most of the morning getting the party ready for an after-dinner departure. Inquiring about the controversy over their permits, Cummings later wrote:

Mr. Douglass was very noncommittal about what he had been doing or trying to do. He was very condescending toward our party, said he was going to find the big arch he had heard about, that his Pahute [sic] guide, Mike's Boy knew the country, had been to the bridge, and that we might go along if we wanted to. [107]

Regardless of the friction, the two groups joined forces and an overt confrontation never materialized. The combined expedition left within the hour and camped the first night on Hoskininni Mesa. Wetherill had already sent word to Nasja Begay, his Paiute guide, to meet the party at the Begay family farm. [108]

The morning of August 11 came early to everyone. The twelve-member team began traveling by dawn, heading north along Copper Canyon and toward the San Juan River. At the San Juan they turned briefly west and crossed Nokai Creek, where they made camp on the second night. On August 12, Wetherill led the tiring men up and onto Paiute Mesa. The trail was "long and dangerous" according to Neil M. Judd. [109] After crossing Paiute Mesa in the blistering heat, the trail led down Paiute Canyon and into the green river valley of Old Nasja's farm. As mentioned earlier, Cummings and Wetherill had arranged to meet Nasja Begay at his family's farm. Arriving at the farm, Begay's father, Old Nasja, informed the group that his son had tired of waiting for Wetherill and had gone to check on the family's sheep some twenty-five miles away. [110] Old Nasja sent Nasja Begay's younger brother to the sheep camp and made arrangements with Wetherill for Nasja Begay to meet the group north of Navajo Mountain.

Douglass was less than convinced that Cummings' Paiute guide would reach them in time or that he would even find the expedition. Wetherill dismissed Douglass's complaints and continued on to Navajo Mountain. Tensions mounted as Cummings, Wetherill, and Judd all noted that Mike's Boy seemed hesitant about many issues as the party progressed. He worried that untrained horses would not survive the journey, about the supply of food, and even the lack of a discernable trail. Douglass never mentioned any of these trepidations in correspondence related to finding the bridge. In any event, fearful or not, the group traveled up to the Rainbow Plateau, crossing Paiute and Desha Creek. They camped that night on the shores of Beaver Creek. [111]

Breaking camp on the fourth day the expedition made its way across vast slick rock, riding or walking up and down numerous precipices. The horses were tired, as were each of the riders. There was no obvious trail to follow and the journey was marked by men leading horses much of the way. The most daunting task of that day was locating a way around Bald Rock Canyon. Wetherill led the group down-canyon, not finding a route across until nearly the San Juan River. Once across, they had to traverse back up the west side of the canyon and resume the trail as best they could. After Bald Rock, Wetherill still had to locate a ford through Nasja Creek. Known today as the Hoskininni Steps, the expedition crossed along a set of divots pecked into the rock by some earlier travelers. The trail was so steep that one horse tumbled to the bottom of the grade. Though there were no critical injuries to any of the party, the psychological toll on every member was evident. The group finally pulled into camp in what is now called Surprise Valley. The area was well suited to their immediate needs, offering water, feed, and rest to men and horses alike. [112]

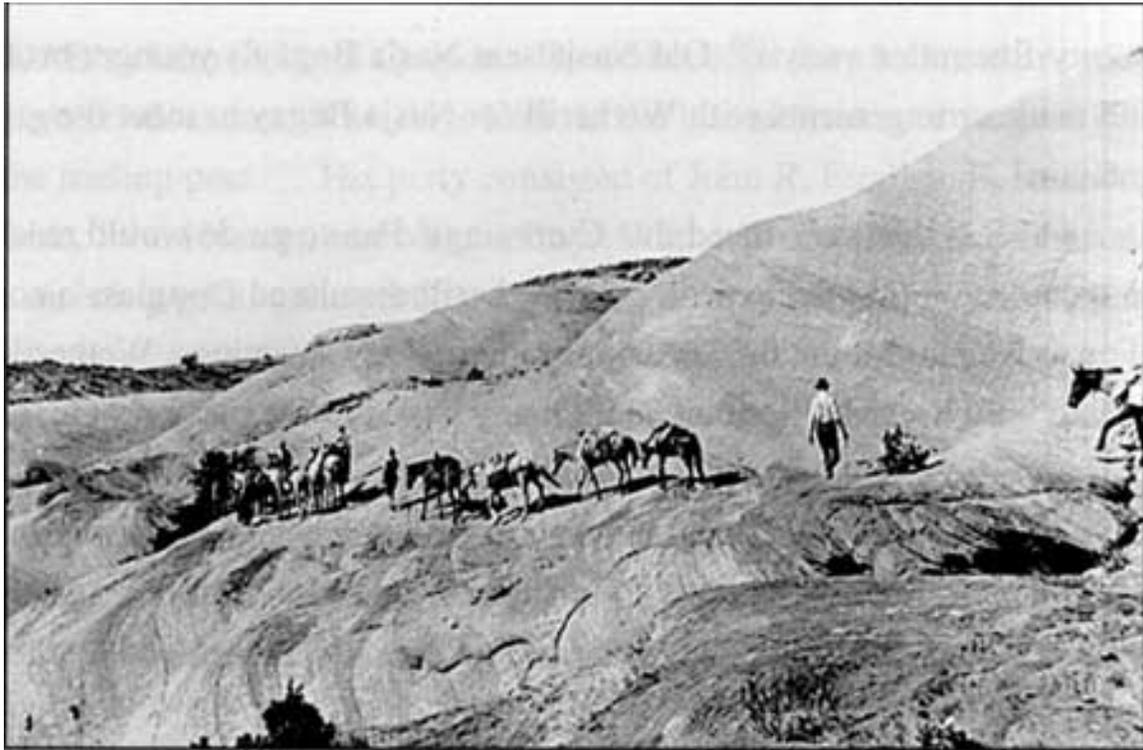


Figure 15 Expedition party and horses west of Navajo Mountain, en route to Rainbow Bridge, August 13, 1909 (Courtesy of the National Archives, NWDNS-NJ-NJ-302. Photo by Neil Judd)

On that last night, most of the members of the expedition were exhausted and frustrated. Mike's Boy seemed more and more anxious about his ability to find the great rock rainbow. Judd, Cummings, and Wetherill all wrote later that Mike's Boy confided in them that he had never been to the bridge but only heard of it from other Paiutes. [113] This observation was later denied by members of Douglass's team. Many of the expedition members were not completely sure of what might happen next. Then came the unexpected. At approximately 10:00 p.m., Nasja Begay rode into camp. It was "one of those unlikely but fortuitous miracles" that sometimes occur at key moments in history. [114] There was no telling how he managed to find the camp in the dark, especially given the secluded location of Surprise Valley. The entire team was elated at Begay's presence. He agreed to lead the group to the bridge the following day and lead them back to Oljeto for the sum of three silver dollars per day. [115]

The last day of exploring was short and sweet. Expedition members, bolstered by the arrival of Nasja Begay, moved lively over the trail. Spirits were high as the riders ascended Hellgate, a ravine that exited Surprise Valley. As the day progressed, Cummings and Douglass were certain they would reach the bridge. They followed the trail through the southern end of Oak Creek (near the base of Navajo Mountain) and then north along Bridge Creek. Nasja Begay indicated that the bridge was very close. At this point in the historical record, participant recollections of the journey took on a less professional tone. No doubt the rigors of the trek took their toll on everyone, including professionals like Wetherill, Cummings, and Judd. The UAE members recalled the day with gritted teeth. Judd later wrote:

Throughout the last day's travel, with the big bridge reported not far ahead, Mr. Douglass exhibited the uncontrolled enthusiasm of the amateur explorer and he was so disregarding of possible danger to the other members of the party as to arouse the disgust of all. Seemingly impelled by the hopes of the old conquistadores; apparently without consideration for his companions, he repeatedly crowded the other riders from the narrow trail as he forced his tired horse to the front. Douglass was the only member of the expedition engaged in this wild race; time and again he turned back from ledges he had unwisely followed, only to rush forward again at the first opportunity. [116]

Even Cummings contended that Douglass was in the midst of jockeying for position so as to ensure his claim to being the first white man to see Rainbow Bridge. Cummings later remembered:

After we negotiated the difficult Red Bud Pass [on the eastern side of Bridge Creek], Mr. Douglass, Mr. Wetherill, Noscha Begay [sic] and I halted in the shade of a cliff to let the packs catch up with us. Mr. Douglass turned to me and said, "I should think you would go back and look after that boy of yours. I have a boy a little older than yours, but I think too much of him to bring him into a country like this. If you thought anything of your boy, you'd stay with him and look after him." It was soon evident why Mr. Douglass was anxious that I fall behind with the packs. [117]

William Douglass recalled the day with less vitriol than his contemporaries. He wrote in his report to the GLO:

On the morning of the last day's travel, when we were told by the Indian guides that the bridge would be reached by noon, the excitement became intense. A spirit of rivalry developed between Prof. Cummings and myself as to who should first reach the bridge. The first three places of the single file line were of necessity conceded to the three guides. For three hours we rode an uncertain race, taking risks of horsemanship neither would ordinarily think of taking, the lead varying as one or the other secured the advantage over the tortuous and difficult trail. [118]

A description of the moments before rounding the bend that revealed Rainbow Bridge is gleaned from a general consensus of participant reports. It was true that Douglass was in the lead. Whether or not he saw the bridge before the others cannot be determined. Wetherill, Judd, and Cummings all remembered that when they rounded the last bend and sighted Rainbow Bridge, they stopped to admire the span. They yelled to Douglass to get him to return to their position. Yelling was necessary because William Douglass was extremely hard of hearing. [119] This does not indicate conclusively that Douglass failed to sight the bridge as he rounded the same corner at which Cummings and Wetherill chose to stop. What is certain is that Cummings, based on this observation, claimed the honor for himself as the first white man to see Rainbow Bridge. The date was August 14, 1909.

After pausing at the bend, Wetherill and Cummings dismounted and began to lead their horses toward the bridge. Douglass, on the other hand, remained mounted and spurred his horse toward the rock rainbow. Various participants wrote differing versions of what words passed between Wetherill and Cummings.

Cummings contended he was satisfied with having seen the bridge first. [120] Wetherill claimed that Cummings thought it would be rude to race Douglass to the bridge and that he (Wetherill) replied, "Then I'll be rude." [121] At the sight of Douglass galloping away Wetherill remounted, spurred his horse, and raced past Douglass. Wetherill stood alone under the expanse of Rainbow Bridge for a brief moment before the other members of the expedition arrived. [122] The only reports that contradicted this version all came from William Douglass. In 1919, Douglass wrote to NPS Director Stephen Mather:

Instructions to visit the bridge were received from the General Land Office, dated Oct. 20, 1908. in compliance with which, an effort was made to reach it that year. It was then that Mr. Wetherill learned of the bridge and its approximate location. In 1909, he was employed by Prof. Cummings . . . and told Cummings of the bridge. They planned to beat me to it, but failed, as I reached it before Cummings. I made no effort to get in front of Wetherill any more than I did to get in front of the Indians. [123]

This version of the story conflicted with Douglass's original report from 1909 and the description of the race that developed between he and Cummings. More important than the issue of who saw Rainbow Bridge first, the 1919 letter revealed Douglass's belief that Wetherill learned of Rainbow Bridge from him. When Douglass went to Oljeto in the fall of 1908, Wetherill tried to convince him that the bridge did not exist. Wetherill disclaimed any knowledge of any colossal rock rainbow. Douglass went to his grave believing that he himself was the source of Wetherill's knowledge about Rainbow Bridge. Wetherill's subterfuge was certainly the root of Douglass's later conviction that Mike's Boy deserved all the credit for bringing Rainbow Bridge out of myth and into reality.

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CHAPTER 3:

Searching for Rainbows: The Cummings/Douglass Expedition (continued)

After the historic posturing concluded, the expedition made camp below the bridge. Horses were set loose to graze and various members of the party wandered below the bridge's span. Douglass and his team set about measuring Rainbow Bridge. Using two steel tapes they had carried with them, the height was measured at 309 feet and the span at 278 feet. This was by far the largest arch in the known world and the team was duly impressed. Cummings, Judd, and Donald Beauregard headed down Bridge Canyon to locate the creek's confluence. Cummings reported a slot canyon that was narrow enough to touch both walls with his fingertips. Cummings and the others returned near midnight. Meanwhile, Wetherill located a route to the top of the bridge by means of climbing above the bridge via the west buttress and then lowering himself onto the arch with a rope. [124]

After measuring the bridge, Douglass and his team stayed a few more days to survey the boundaries of what became Rainbow Bridge NM. Douglass laid out a 160-acre square centered on the bridge. Except for minor changes made later to the corner markers, Douglass's original boundaries remain intact to the present day. After the boundary survey, they returned across the southern mesas to Tsegi Canyon to survey Betat' akin and Keet Seel. Cummings began his return to Salt Lake City the day after finding Rainbow Bridge; he had to be back in time for Fall semester at the University of Utah.

Douglass also conceived of a name for Rainbow Bridge. In his 1910 report to the GLO regarding the expedition, Douglass claimed that his guides spoke a Navajo word, *nonnezoshi*, meaning "hole in the rock." Seeking a fitting tribute to the Paiutes who brought knowledge of the bridge to the English speaking world, he claimed he asked one of the guides for the Paiute word for rainbow. Douglass claimed the reply they offered was *barahoine*. Douglass made a topographic sketch of the bridge that revealed his desire for the Paiute name. In fact, the Navajo word for Rainbow Bridge is tsé naa Na'ni'ahi, which translates as "rock arch." [125]

came of Rainbow Bridge. The articles that after the bridge's "discovery" all pointed to its awe-inspiring physical beauty as well as its unique geologic significance. In his report to the GLO, William Douglass urged that the bridge be designated a national monument in order that it be protected from various threats. Douglass' efforts were bolstered by the attention the bridge received in the popular press. Based on the many considerations extant at the time, Rainbow Bridge became part of the national park system. On May 30, 1910, President William Howard Taft designated Rainbow Bridge National Monument. In his proclamation, President Taft declared that the bridge possessed great scientific interest and was an example of "eccentric stream erosion." Utilizing the boundaries surveyed by William Douglass, the proclamation set aside 160 acres around Rainbow Bridge. [126]



Figure 17 Rainbow Bridge, August 13, 1909 (Stuart M. Young Collection, NAU.PH.643.243 Cline Library, Northern Arizona University)

Over the course of the next forty years, participants of the first successful expedition to Rainbow Bridge jockeyed over the credit for finding the bridge, indicting each other's integrity in the process. For his part, William Douglass remained steadfast in his assertion that he sighted the bridge before Cummings, that Mike's Boy knew of the bridge before anyone else and shared that information with Douglass long before Wetherill or Cummings had knowledge, and that Mike's Boy led the joint expedition to its goal. For unknown reasons, Douglass even went so far as to claim credit for locating and naming Inscription House. In the same 1919 letter to Mather cited earlier, Douglass also wrote:

The Natural Bridges National Monument and the Navajo National Monument were both made on my recommendation and based on my surveys. The latter was first called to the attention of the Interior Department by me, and several of its ruins are of my discovery, including the

discovery of the inscriptions, which resulted in my naming that ruin "Inscription House." [127]

The world may never know what inspired Douglass to claim credit for discoveries he clearly had no part in making. But in his official report to the GLO concerning Rainbow Bridge, Douglass mitigated Wetherill's role to nothing more than "packer" and took the position that Byron Cummings and his team had joined Douglass and the government party. Nasja Begay was never mentioned in Douglass's notes or his reports. Douglass noted that he and his assistants were the first human beings to walk atop the bridge. The members of the Utah Archeological Expedition rallied around Cummings and against Douglass's obvious disinformation.

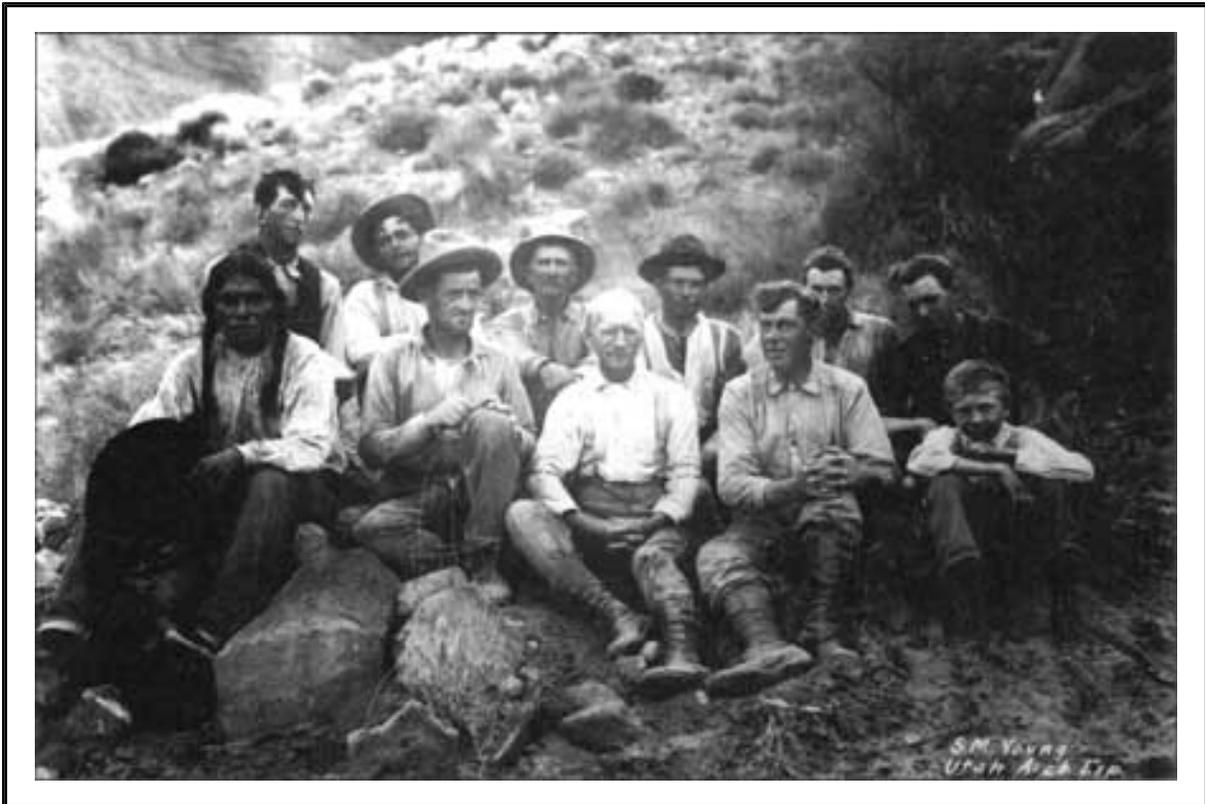


Figure 18 Expedition party seated below Rainbow Bridge, August 13, 1909. Back row, left to right: John English, Dan Perkins, Jack Keenan, Francis Jean Rogerson, Neil M. Judd, Donald Beauregard. Front row, left to right: Jim Mike (Mike's Boy), John Wetherill, Byron Cummings, William Boone Douglass, Malcolm Cummings (Stuart M. Young Collection, NAU. PH.643.2.9 Cline Library, Northern Arizona University)

The official government history of the "discovery" of Rainbow Bridge was drawn from Douglass's report to the GLO and remained true to that version of the story for many years. Douglass refuted various deviations from his version that appeared sporadically in the government press. [128] For the most part, the members of the first expedition had individual versions of what happened and of who knew what and when. Cummings published his version in February 1910. It was totally innocuous in its description. Cummings mused that "not even Hoskininni seems to have penetrated as far as the Nonnezoshi [Rainbow Bridge]. The members of the Utah Archeological Expedition and of [the] surveying party of the U.S. General Land

Office, who visited the bridge together August 14, 1909, are evidently the first white men to have seen this greatest of nature's stone bridges." [129] There was no doubt in this publication that Cummings had divorced himself from any controversy or disagreement over credit for finding the bridge. Though he did publish the bridge's measurements without crediting the GLO, there was nothing in his article that suggested he made the measurements himself. Douglass's contention that Cummings "stole" the measurements and published them as his own was drastically overstated. One obvious fact remained true: Cummings acknowledged the participation of the GLO in finding Rainbow Bridge while Douglass all but omitted the UAE from his own official report. There was nothing in Cummings' early publication of the Rainbow Bridge expedition which suggested any attempt to either credit himself with the discovery or to exclude Douglass from the story.

Eventually, Sterling Yard, director of the National Parks Association (NPA), solicited Neil Judd's version of the events. Yard was instrumental to the Park Service as a publicist during large scale advertising and public relations campaigns. The Park Service, through the NPA, was trying to structure its image and its history for the public. [130] The details of every monument's history were important to this pursuit. Fortunately for Judd, Yard did not subscribe to the official line penned by Douglass. Judd wrote his brief narrative on October 30, 1919. The report disparaged Mike's Boy as a liar and Douglass as an amateur. Judd ascribed the credit for finding the bridge to Nasja Begay and his father, Old Nasja. [131] Wetherill chimed into the debate in 1924. He decided that there should be a commemorative plaque erected at the bridge honoring Nasja Begay as the real discoverer of Rainbow Bridge. To this end he wrote numerous letters to the National Park Service. Wetherill, in the course of this correspondence, took his jabs at Douglass and Mike's Boy. He wrote, "it was very evident that Jim [Mike's Boy] did not know the trail. I do not feel that Jim is entitled to any of the credit." [132] Wetherill also excluded any information relating to Douglass's aborted attempt to find the bridge in the fall of 1908 or of the disinformation he passed on to Douglass. Wetherill was not seeking credit for himself but rather his friend and guide, Nasja Begay. Cummings also wrote to the Park Service on this issue, verifying most of Wetherill's claims and the singular importance of Nasja Begay to finding Rainbow Bridge. [133] For the most part, the members of the first expedition were honorable explorers or government servants. Despite their differences, they all agreed that no white man would have found the bridge without one or both of the Paiute guides. To that end they all lobbied for a commemorative plaque which acknowledged this most basic fact.

John Wetherill began his attempts to honor Nasja Begay in 1924. Unfortunately, Begay had contracted influenza in 1918 and died as a result. Wetherill felt compelled to secure his friend's place in history and bronze as "the Indian who guided the first party to the Bridge." The initial problem was that the Park Service assumed Wetherill was talking about Mike's Boy, the Indian guide the Park Service knew from Douglass's official reports. This was NPS Director Mather's assumption in his reply to Wetherill a year later. This naturally reignited the whole debate among the original participants over which Paiute guide did what and what each expedition member knew and when they knew it. John Wetherill, Byron Cummings, and Neil Judd all wrote to Director Mather regarding their individual participation in the expedition and the role of their guide in finding Rainbow Bridge. Their efforts to ensure that Nasja Begay be remembered as the Paiute who found the bridge were admirable. For its part, the Park Service was dealing with a great deal of mixed information. Given the numerous and inconsistent versions of the "discovery" story, the Park Service personnel assigned to verify the historic record were slightly confused. Even Director Mather, for example, was unsure of the Paiute guide's identity in early correspondence with Wetherill. Based on the intense

interest in honoring the expedition's guide, Dan Hull, chief landscape engineer for the Park Service, made plans in March 1924 for a bronze plaque bearing the likeness of Nasja Begay and a brief narrative of the "discovery." The plaque was to be placed very near the base of the bridge itself, in plain view of any future visitors. [134]

Plans for the commemorative plaque continued through 1924 with design sketches and copy edits passing between various members of the Park Service. [135] But in July 1925, the official story still had not changed. A press release and information bulletin was in preparation to assist the growing number of visitors to Rainbow Bridge. That press circular identified Mike's Boy as the only Paiute guide on the expedition and described Cummings and Wetherill as ancillary to the whole event. By 1927 the "official" story was breaking down. Various public inquiries about who located Rainbow Bridge were answered by accounts that included Cummings, Wetherill, and Begay. Assistant Director A.E. Demaray, as well as Associate Director Arno B. Cammerer and Director Mather, were slowly but carefully gathering facts about the first expedition and relating those facts to other Park Service personnel. Based on the more complete story, Mather authorized mounting the commemorative plaque in September 1927. [136] The original plaque read "To Commemorate the Piute [sic] Nasjah Begay Who First Guided The White Man To Nonnezoshi August 1909. [137] The real irony came with the event's press coverage. In newspaper stories which followed the plaque hanging ceremony, columnists credited John Wetherill as the first white man to see Rainbow Bridge, giving only cursory mention to the other members of the party.

The other story of note in 1927 was Neil M. Judd's published account of the expedition in the *National Parks Bulletin*. [138] Judd correctly identified the caveat that marked the controversy over who first located Rainbow Bridge. He wrote:

Who actually discovered Nonnezoshe? Nobody knows. Some Indian way back in that pre-Colombian past when man romped and roamed widely over this continent of ours but left no written record to prove it. Some Indian was the real discoverer. But we whites have a conceit all our own which frequently tempts us to ignore the achievements of those of a different hue. A thing clothed in the traditions of a thousand years remains unknown until we ourselves have seen and recorded [it]. [139]

Rainbow Bridge was not discovered by Douglass, Cummings, Wetherill, or anyone else in 1909. It was located and mapped and then introduced to the English speaking world as a wonder to behold. It was exceptionally humble for Judd to couch his entire article in the framework of being last to the bridge. While Judd still clung to the belief that Cummings was the first white man to see the bridge, he did present a valuable statement about the biases of history and the way fortune favors the literate. Eventually the whole story of August 1909 was told to the world. The plaque commemorating Nasja Begay's role in the first expedition hung silently on a rock near the bridge for fifty years. But in the fall of 1973, *Empire Magazine*, a weekly supplement to *The Denver Post* newspaper, published an article that detailed Mike's Boy's (known by this time as Jim Mike) part in the first expedition. Zeke Scher, a writer for *Empire*, obtained copies of William Douglass's account of the expedition and wrote an article to vindicate Jim Mike. Mike never told his story to the world, perhaps assuming Douglass would take care of the history. It is possible he never knew about the plaque honoring Nasja Begay. Jim Mike did not return to Rainbow Bridge until 1974.

In June 1974, Jim Mike was 104 years old. He was alert and active but in no condition to trek to Rainbow Bridge. Fortunately for Jim, the inundation of Lake Powell had made it possible by this time to access the bridge via boat. He would not have to hike to have his place in history commemorated. The Park Service planned a ceremony to honor Jim Mike for his part in the Cummings/Douglass expedition and for his contribution to making the new monument possible. The ceremony took place June 18, 1974. At the ceremony, NPS Regional Director Lynn Thompson presented Mike with a new robe and \$50.00 a guide fee that the Park Service felt Mike was owed for his services in 1909. It was a fitting tribute that Mike obviously appreciated; however, there was still no plaque honoring Jim Mike as one of the original guides. Another article appeared in *Empire* in 1974. The second article retold of Mike's role in 1909 and detailed the 1974 ceremony. Within a year, someone clandestinely removed the plaque honoring Nasja Begay and threw it into the waters of Lake Powell just beneath the bridge. In the early 1980s the Park Service remounted the Nasja Begay plaque in its original location. They also placed a smaller plaque just below Begay's which recognized Mike's part in the 1909 expedition; unfortunately, he did not get the chance to see his name immortalized in bronze. On September 28, 1977, Jim Mike died of natural causes. He was 107 years old. [140]

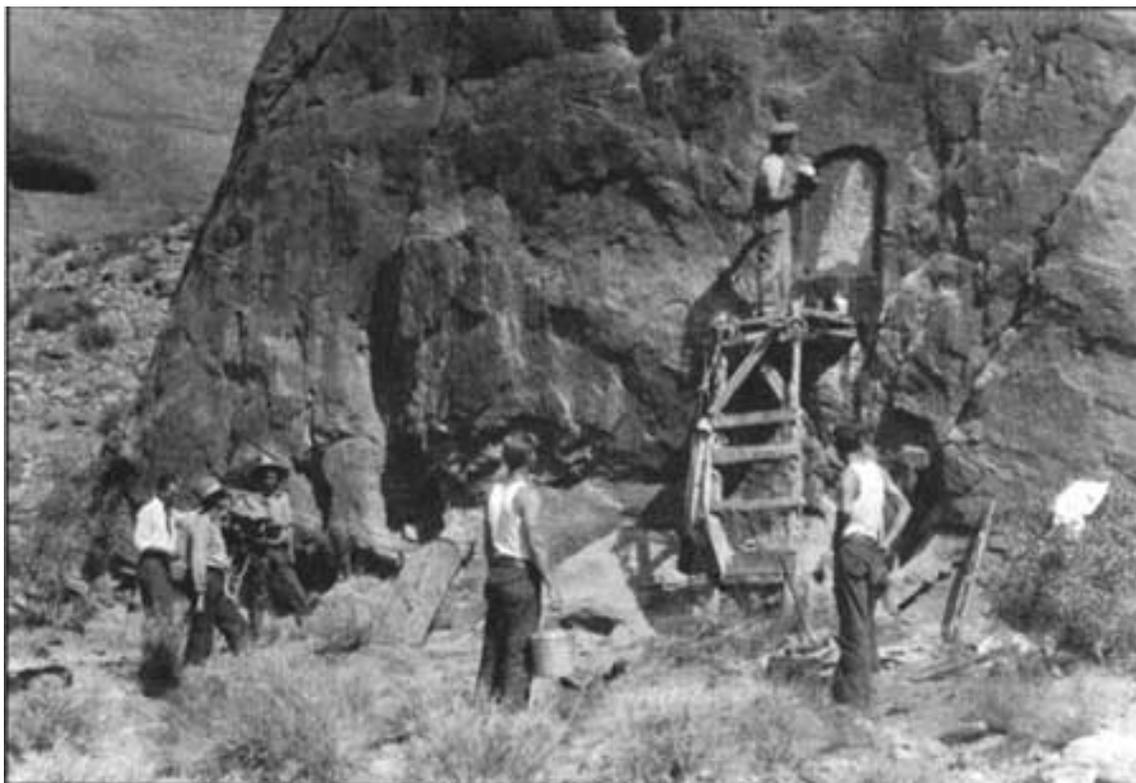


Figure 19 Mounting the plaque, 1927 (Courtesy of Glen Canyon NRA, Interpretation Files. Photo by Raymond Armsby)

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Rainbow Bridge

Administrative History



CHAPTER 4:

Making It Work: Monument Development, 1910-1955 (continued)

Tourism and exploration operated on a dual plane at the monument between 1910 and 1955. There were significant explorations of the monument's interior which tried to assess the best route to the bridge as well as the monument's biological and geological scope. One of the most popularized set of expeditions to the bridge were those inspired by Charles L. Bernheimer in the 1920s. Bernheimer described himself as a "tenderfoot and cliff dweller from Manhattan." [151] Bernheimer was that and more. A textile tycoon, Bernheimer had a passion for the Southwest. He spent many summer months in the Four Corners region, exploring and recording much of what he saw. In 1920, he employed Wetherill to guide him to the bridge. Awed at the spectacular edifice, Bernheimer decided that the bridge could be accessed more directly via some undiscovered western route. In 1920, the bridge was still being reached in the final stage via the original approach which included numerous canyon crossings and tiring course deviations. Bernheimer returned in 1921 to help create a more direct route that avoided delays in Bald Rock Canyon. [152]

The 1921 expedition proved to be quite exceptional. Bernheimer and Wetherill, among other feats, circumnavigated Navajo Mountain and located Redbud Pass as the likely candidate for a western approach to the bridge. However, Wetherill reported to Bernheimer that approaching the bridge from that point would be impossible due to natural impediments. Bernheimer returned the following year with Earl H. Morris of the American Museum of Natural History. With Wetherill as guide, the team took up the sole task of "creating" an approach to the bridge via Redbud Pass. Utilizing dynamite and chisels, Bernheimer and his crew worked for a week to create a path wide enough to lead horses through. They finished their efforts on July 5, 1922, riding through the newly formed Redbud Pass and into Bridge Canyon toward Rainbow Bridge. [153]

The completed route ran from Kayenta up Tsegi Canyon and then due north to the southern foot of Navajo Mountain. Here the trail forked; the east fork followed the traditional route around Navajo Mountain from east to west and into Bridge Creek. This is known historically as the Wetherill Trail. But the west fork, reconnoitered during the 1921 and 1922 Bernheimer expeditions, followed Horse Canyon into Cliff Canyon. It then made use of Redbud Pass and the more direct drop into Bridge Canyon. [154] From any camp situated along the southern slopes of Navajo Mountain, the new trail offered a more direct path to the bridge, ranging from thirteen to twenty miles depending on the starting point. The great irony of creating this new route was it made locations north of Kayenta more appealing as base camps. In 1924, S.I. Richardson recognized that very fact.

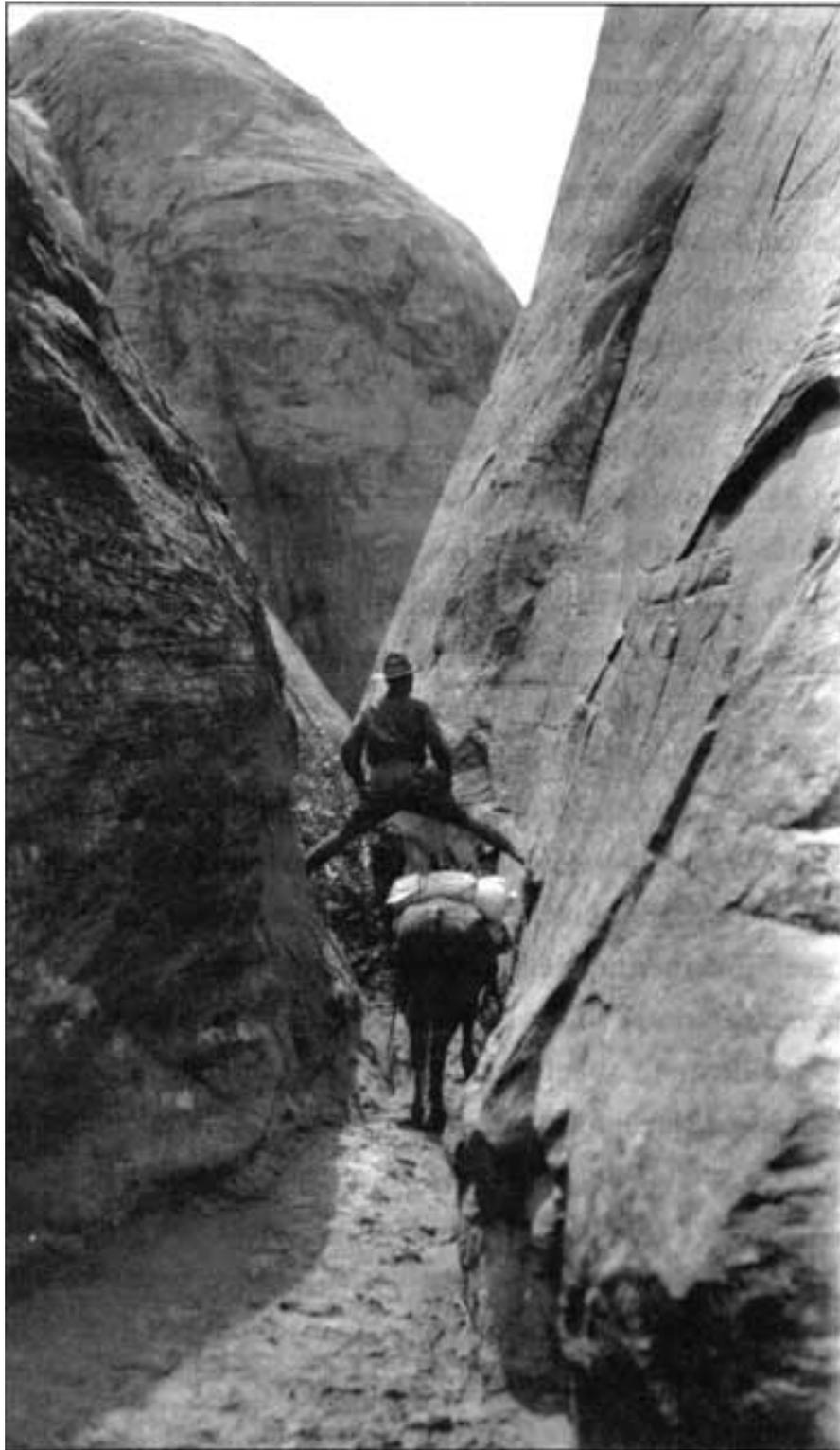


Figure 22 Redbud Pass (Phillip Johnston Collection, Cline Library, NAU.PH.413.103, Northern Arizona University)

The establishment of Rainbow Lodge was inevitable from a tourism perspective. The Wetherills were too far from the bridge and could not hope to monopolize the tourist trade forever. John Wetherill had made a good living guiding men like Grey and Bernheimer to the bridge. But as public knowledge of the bridge grew,

others sought a living at guiding "tenderfoots" into the monument. S.I. Richardson and his brother Hubert were among those who saw more than the awesome natural beauty of the bridge; they saw economic potential. The Richardson brothers came to the Southwest to escape the harsh life imposed on them by their fundamentalist father. After working with relatives in the trading post business, the brothers took a pack trip from Kaibito to the bridge. It was this trip that inspired them to start a guide and trading post business on the southern slope of Navajo Mountain. Their plan included construction of a road from Tonalea, Arizona to their new Rainbow Lodge and Trading Post at Willow Springs. [155]

It was an ambitious plan. Permits, construction delays, threats from local Navajos, and canyon obstructions threatened to derail the project. But S.I. and Hubert were not dissuaded from realizing their dream. Using hired and family labor, the Richardsons finished construction of the lodge in late 1923. The Richardsons also managed to secure the official sanction of the Bureau of Indian Affairs (BIA). Unbeknownst to the Park Service, the BIA issued S.I. Richardson a permit to operate the Rainbow Natural Bridge Transportation Company. The Park Service was unaware of Richardson's permitted operation until May 1924. [156] The lodge started receiving visitors, even before guest accommodations were complete, in March 1924. Regular pack trips to the bridge began in early 1925. [157] Competition for the Wetherill clients had begun.





Figure 23 Rainbow Trail from Rainbow Lodge (Courtesy of Intermountain Support Office) (*click on image for an enlargement in a new window*)

In order to improve his odds for success at Rainbow Bridge, Hubert Richardson lobbied the Park Service to appoint Homer Arnn custodian of the monument. Arnn was the chief packer for the Richardsons and would have been in a uniquely powerful position if appointed custodian. Even the Park Service recognized that custodians were in frequent contact with visitors, making custodianship and guiding a lucrative combination. The Park Service responded with consideration, indicating that "we would like to get a good man to act as custodian at the Rainbow Bridge." [158] But when the request made it to the review of Acting Director Arno B. Cammerer, all the cards were laid on the table. Cammerer wrote to Frank Pinkley, then Superintendent of Casa Grande National Monument, "perhaps the reason Mr. Richardson is anxious to have Arnn appointed as custodian of the Rainbow Bridge Monument is that this would give him official recognition as the Rainbow guide and some misunderstanding might arise in this connection with Mr. Wetherill." [159] It seemed that certain Park Service employees did not know that John Wetherill served the dual role of custodian for Navajo NM and Rainbow Bridge. In any event, Arnn's custodianship was denied by the Park Service in the form of it never being proposed officially.

Competing with the Wetherills had its price. Being so close to the bridge meant being very far from supply towns. Everything necessary to Rainbow Lodge's operation had to be trucked in from somewhere else: Flagstaff, Gallup, or other towns. The Richardsons realized quickly that business would have to be brisk to meet the cost of operating in such a remote location. In 1926, S.I. and Susie Richardson sold their share in the Rainbow Lodge to Hubert Richardson and left Navajo Mountain for Red Mesa. Hubert gave overall management control to Stanton Borum, one of the original partners in the venture. Hubert hired his brother-in-law, Bill Wilson and his wife Katherine to handle the daily lodge operations: guest services, trail and lodge maintenance, and advertising. [160]

The Wilsons came to Rainbow Bridge from Grand Canyon National Park. Wilson worked as a pack-master for several years at Grand Canyon under the direction of Superintendent M.R. Tillotson. He had made quite an impression on Tillotson during the years at Grand Canyon. Superintendent Tillotson, after reading a Park Service publication that indicated Rainbow Bridge NM lacked a custodian, immediately recommended Bill Wilson to the Director for the custodial position. Tillotson wrote of Wilson that "it would be difficult to find anyone more interested in the preservation of the monument than he and he is certainly the nearest white man to it." [161] In fact, John Wetherill was still the official custodian of Rainbow Bridge, a duty that Wetherill also performed at nearby Navajo NM. Whether or not Tillotson knew about Wetherill's role would be speculative. But in his letter, Tillotson detailed numerous other trading posts that lay some distance beyond Rainbow Lodge. Kayenta was not mentioned among them. In fact, in extolling the virtues of Rainbow Lodge, Tillotson compared Wilson's services to the other alternative, a ten-day pack trip around the north side of Navajo Mountain. Any information as to who ran these alternative pack trips was omitted from the letter. In any event, the recommendation of Wilson for custodian was denied by the Director based

on the advice of Frank Pinkley. Pinkley said that there were reasons for not appointing Wilson that Tillotson had omitted from his glowing recommendation. Those reasons were known only to the participants as they were never enumerated in any Park Service correspondence. [162]

It was apparent that even the eased access afforded by the Richardson road improvements were not enough to stimulate vigorous Park Service management. Budgetary limitations still in place as a result of World War II severely restricted structural improvements at the monument. In 1946, Hubert Richardson sold his interest in the lodge to Barry Goldwater, future Arizona Senator and presidential candidate.

World War II handicapped business at the lodge. Very little recreational travel took place during the war, and remote locations like Rainbow Lodge were hit the hardest. But Goldwater loved the country around Rainbow Bridge. He had bought into the Richardson operation in the 1930s as a partner and in 1946, after the conclusion of the war, decided he wanted to have a go at running a successful tourist operation. The lodge did little business during the war, with the Wilsons leaving Navajo Mountain for a brief time to secure employment elsewhere. The lodge was virtually unused for nearly five years. With wartime fuel restrictions lifted by 1946, people began touring the Southwest again. Goldwater had guessed well regarding post-war tourism. In 1923, annual visitation to the bridge was only 142 people. After 1945, visitation went up every year, reaching a high of 1,081 in 1955. Goldwater secured the promise of the Park Service to distribute Rainbow Lodge pamphlets to all persons inquiring about services at Rainbow Bridge. [163]



Figure 24 Rainbow Lodge, 1950 (Gladys Brodenson Collection, NAU. PH.97.9. 129, Cline Library. Northern Arizona University)

In high hopes of success, Goldwater sent 1,500 pamphlets to the Park Service's information office.

Unfortunately the lodge burned to the ground in August 1951, leaving nothing but high hopes. Operations were transferred to the only building large enough to accommodate guest functions: a recently constructed stone garage. The Wilsons decided to retire after the fire and in 1952 moved to Clarksdale, Arizona. Myles Headrick, lodge manager after Hubert Richardson sold out, became partners with Goldwater. Goldwater and Headrick hired Merritt and Nona Holloway to replace the Wilsons and serve as hosts. The lodge was never rebuilt along its original lines. Trips to the bridge via boat tours on the Colorado River and the advent of Lake Powell in 1962 made continuing land-based travel to Rainbow Bridge a futile endeavor. Operations at Rainbow Lodge continued until Goldwater's priorities and finances shifted to national politics. The Rainbow Bridge and Hotel Company closed in 1965. But the era of guided pack services had firmly ensconced Rainbow Bridge NM on the recreational consciousness of thousands of Americans who would later lament the era's passage. [164]

River trips to the bridge also took on increased significance between 1935 and 1955. Norman Nevills operated the first tourist operation in Glen Canyon that successfully focused on Rainbow Bridge. Nevills operated from Mexican Hat, Utah, just north of the monument on the San Juan River. He was instrumental in designing boats that could withstand the harsh conditions of the San Juan rapids. He guided his first paying customers to the bridge via the San Juan in March 1936. Within a few years, Nevills was operating a commercially profitable river-based guide service that included a side trip to Rainbow Bridge on every voyage. Unfortunately, Nevills and his wife Doris died in a plane crash in 1949. But it was Nevills who introduced men like Barry Goldwater and Wallace Stegner to the beauties of Glen Canyon. His boat-building skill and technical prowess at running the river inspired many other guides in the years to come. [165]

Other river runners made Rainbow Bridge part of their itinerary as well. Art Greene started running clients to Rainbow Bridge in the 1940s. He traveled up the Colorado River from Lee's Ferry. Greene used modified air-boats, like those then used in the Florida Everglades. Greene's venture was never extremely profitable as the boats required tremendous amounts of fuel, which drove up the price of his trips. But Greene was important for another reason. When construction started on Glen Canyon Dam in October 1956, Greene acquired a lease on a large tract of land above the dam and built a small resort and marina. The marina became known as Wahweap. He continued to run river trips to Rainbow Bridge until 1962. Greene sold his interest in Wahweap to the Del Webb Corporation in 1976 and died in Phoenix, Arizona in 1978. Greene was an influential man in his time, guiding many prominent people to the bridge prior to the construction of Glen Canyon Dam. [166]

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<http://www.nps.gov/rabr/adhi/adhi4a.htm>

Last Updated: 07-Feb-2003

Rainbow Bridge

Administrative History



CHAPTER 4:

Making It Work: Monument Development, 1910-1955 (continued)

In terms of contemporary issues, the administrative life of Rainbow Bridge NM from 1945 to 1970 was dominated by the proposal and construction of Glen Canyon Dam. However, plans to dam the canyons near Rainbow Bridge began early in the monument's life, long before the Colorado River Storage Act which authorized Glen Canyon Dam. Reclamation as a federal management philosophy was codified in law in June 1902 with the passage of the Newlands Reclamation Act. The spirit of reclamation infected the West. With so many rivers, the western states were ripe for reclamation projects that would bring paradise to the deserts. This belief in science controlling nature to the betterment of American lives was the driving force in the Bureau of Reclamation throughout the first sixty years of the Bureau's existence. By 1914, tens of millions of dollars were spent trying to irrigate the West through reclamation.

This spirit of reclamation made the 1920s a significant period in the official life of Rainbow Bridge NM. The states that comprised the Upper Colorado River Basin wanted more control over the development and distribution of Colorado River waters. To this end the Upper Basin states lobbied Congress for the right to form a compact of states and employ the doctrine of prior appropriation as it was codified in law in the 1922 case *Wyoming v. California*. The doctrine of prior appropriation held that whoever developed a water source for beneficial use first held permanent rights to that water first in time, first in right. The Upper Basin states proposed a series of dams, funded in part by the Bureau of Reclamation, to help secure water from the Colorado River for the benefit of the Upper Basin. But there was no comprehensive map of the Glen Canyon region to aid in deciding possible dam placement. To this end, the U.S.G.S. conducted a mapping project of the Colorado River basin and Glen Canyon. Included in the U.S.G.S. survey were Bridge Creek and Aztec Creek. When the project was finished in 1923, Rainbow Bridge and its monument environs were part of the topographic data base. [167] The other significant result of the survey was the publication of the first plan to erect a dam in Glen Canyon and reclaim the meandering Colorado River for the benefit of the Upper Basin states.

As the water needs of southern California expanded, the Upper Basin states knew that reclamation was their only hope of making use of the waters of the Colorado River. One man working for the United States Geological Survey also believed the Colorado could be reclaimed. In 1916, Edward Clyde (E.C.) LaRue, chief hydrologist for the U.S.G.S., was convinced that reclamation and control of the Colorado River could be accomplished. LaRue favored a location somewhere in or near Glen Canyon. His first vision of a dam for the Colorado was a two hundred and forty-four foot gravity dam just below the mouth of the Paria River near Lee's Ferry, Utah. But LaRue changed his mind after taking part in the 1921 general mapping survey of Glen Canyon. After seeing the length of the lower Colorado River as it passed through Glen Canyon, LaRue

proposed a 780 foot dam be built four miles upstream from Lee's Ferry. His larger proposal would generate a reservoir of 50 million acre feet of water. LaRue thought this could be effectively accomplished by simply blasting the walls of Glen Canyon and modifying the resultant massive choke-stone of debris into a Glen Canyon dam. LaRue published his proposal a year after the completion of the general mapping survey. [168] Twenty years later, when the Bureau of Reclamation and others looked seriously at plans to dam sections of the Colorado, LaRue's idea was revived and formed the nucleus of the Colorado River Storage Project's plan for a Glen Canyon unit.

Charles Bernheimer's book *Rainbow Bridge*, as well as his various expeditions, revealed the vast diversity of the environs of Rainbow Bridge NM to a growing audience. That same audience also watched as the Upper Basin states signed the Colorado River Compact in 1922. The purpose of the Compact was no secret; dams were to be erected along the length of the Colorado River. Reclamation as a working philosophy was very popular in the West. Reclamation meant jobs, resources, and most importantly, control of the future distribution of the West's most valuable resource. Water had always been the most important issue in the Western states and the Compact reinforced that belief. Bernheimer, among others, recognized the possibility that dams could go up throughout Glen Canyon. To protect his beloved Rainbow Bridge, Bernheimer began a campaign in 1928 to lobby Congress to modify the monument's status to national park. He wrote letters to members of Congress, as well as NPS Director Stephen T. Mather, [169] Bernheimer also solicited the support of The American Scenic and Historic Preservation Society. This would be the first of many such schemes to make Rainbow Bridge a national park.

Acting Director Arno B. Cammerer replied to Bernheimer and others by pointing out the realistic problems of changing Rainbow Bridge to a national park: the lack of local infrastructure; the rugged terrain surrounding the monument which precluded development of roads and campgrounds; and the uncertain status of the surrounding lands. [170] Cammerer and others recognized the delicacy of dealing with both the Navajo Tribe and the San Juan Southern Paiute over the issue of land acquisition. The Paiute Strip, which surrounded the monument, had changed hands many times by 1928 and had only recently (1922) been returned to the public domain. At nearly the same time that Bernheimer proposed his plan, pressure was growing from many quarters to return the Strip to the local Navajos and Paiutes, and the Park Service did not want to jeopardize that process by attempting to accession more acreage in pursuit of a Rainbow Bridge national park. [171] By 1930, the Bureau of Indian Affairs was in the process of preparing legislation for Congress to return the Paiute Strip to Navajo control. Believing this transfer was a foregone conclusion, the Park Service did not seriously consider most early proposals to modify the monument's status. [172]

Proposals to make Rainbow Bridge a national park were not limited to the geographic boundaries of the Paiute Strip. Charles Bernheimer proposed another park, comprised of three sections, that was significantly larger than his 1928 vision. In 1931, despite the imminent return of the Paiute Strip to Navajo control, boosters formulated plans to create a Navajo National Park. The proposed park included all of the Paiute Strip, Navajo NM, and Natural Bridges NM. On the map it resembled a giant east/west diamond with Navajo Mountain near the center. Bernheimer lobbied tirelessly for his dream park. He obtained the support of the Clark Wissler and The American Museum of Natural History. [173] There was immense popular support for such a park. Letters poured into the Park Service's various offices between 1931 and 1933. The *Salt Lake City Telegraph* reported, "In the plans, the new national park will extend from Utah into northern Arizona, and will include the following: Rainbow natural bridge, Navajo national monument, the

Goosenecks in the San Juan river, Monument valley, the Utah natural bridges [national monument], and Arch canyon." [174] The supporters of this new park were getting press as well as official interest. But even as support grew, one problem remained the same: the land in the proposed park was almost entirely controlled by the Navajo Nation. The only land that was not under their direct control (the Paiute Strip) soon would be.

In March 1931 the Park Service investigated the possibility of establishing the proposed Navajo National Park. To that end, Grand Canyon National Park Superintendent M.R. Tillotson and Yellowstone National Park Superintendent Roger W. Toll conducted a fact-finding trip to Rainbow Bridge country. Their conclusion was somewhat path breaking. In their assessment they vehemently supported establishing a Navajo National Park. Toll wrote, "this proposed national park would have great interest to the American public because of its unusual features of ethnology and archaeology, as well as because of its unique and remarkable scenic qualities." [175] The Park Service clearly recognized the diverse cultural makeup of the region surrounding Rainbow Bridge and thought it significant enough to include ethnology as reason to protect the region via national park status. This was exceptional thinking given the political climate in which Toll wrote this report. At nearly the same time that Toll and Tillotson toured the Navajo reservation, BIA administrators met in Washington, D.C. to finalize plans for large-scale reductions of Navajo sheep herds, a federal policy that most Navajos detested. Commissioner of Indian Affairs John Collier was an anathema to Navajos at large and especially to the Navajo Tribal Council. This feeling was so intense that a majority of Navajos voted against Tribal incorporation under the Wheeler-Howard Act just because Collier supported a federally approved Navajo constitution. [176] Federal involvement in the lives of Navajos at any level was not popular with members of the Tribe in the 1930s. Regardless, the Park Service supported a Navajo National Park because they thought would benefit everyone involved.

As part of a larger trip to the West, Director Horace M. Albright made his way to Rainbow Bridge and Navajo Mountain in late July 1932. At this time, John Wetherill was still the custodian of both Rainbow Bridge and Navajo NM. Prior to his trip, Director Albright corresponded with both Charles Bernheimer and Frederic A. Stearns. Bernheimer and Stearns tried to coax Albright into staying with and employing the Wetherills during the Rainbow Bridge leg of the journey. [177] There were still factions at work near the bridge, and those factions were divided along guide services. The Wetherills had long been thought of as the rightful heirs to the mantle of Rainbow Bridge tourism. After all, it was John Wetherill who "found" the bridge. Some locals thought of the Richardsons as intruders who made their living by capitalizing on the trail-breaking hard work of Wetherill and Bernheimer. Geographic proximity finally settled the argument. When Albright visited Rainbow Bridge in July 1932, he employed the Wilsons at Rainbow Lodge rather than Wetherill. The Director's aides selected Rainbow Lodge based on its fifteen-mile distance from the bridge. The Director was on a tight schedule and could not afford a ten-day pack trip that roamed all over the region. The Director was so impressed by Rainbow Bridge and the nearby lodge that he wrote to Katherine Wilson thanking her for their accommodations. Albright even offered support to the Wilsons, saying "I hope we [the Park Service] can find some way of helping your enterprise." [178] The Depression was in full swing and business was slow. Any kind of support, especially from the Director of the National Park Service, was welcomed by the Wilsons.

Director Albright's 1932 trip definitely augmented popular support for the idea to modify Rainbow Bridge's monument status along the lines of the Bernheimer plan. After seeing the region first hand, Albright was

convinced that a national park in some form should exist near the Four Corners. But the Park Service's desires could not keep pace with the political climate in which they existed. Because of the demands of the Depression, Congress was more inclined to employ men and women to improve existing units of the national park system, rather than create new units. Between 1925 and 1928, twenty-one new national monuments were established by Presidential proclamation. In the first years of the Depression, between 1929 and 1932, only eight monuments were added to the national park system. [179] In addition to the economic chaos that eclipsed the Park Service's hopes, Congressional sentiment toward Native Americans was reaching crisis. At the same time that John Collier was arguing for Navajo stock reduction, Congress was debating passage of the Wheeler-Howard Act, commonly known as the Indian Reorganization Act. The mood of the first Roosevelt administration was one of conciliation toward Native Americans. Based in part on the liberal tendencies of the administration and the deplorable conditions revealed in the 1928 Meriam Report, that mood became the inspiration for letting the Navajo Tribe keep its ancestral homelands intact. [180] As a result of these forces, Congress returned the Paiute Strip to Navajo control in 1933. Negotiating an exchange of lands between the Navajo Tribe and the Park Service in this climate was unlikely. There would be no Navajo National Park during the Roosevelt administration. With the status of Rainbow Bridge's environs stabilized temporarily, public interest in exploring the monument for its scientific diversity grew to new levels.

There was much activity at the monument in the mid-1930s. Between 1933 and 1935 three separate scientific expeditions went into Rainbow Bridge NM and the surrounding environs with the express purpose of collecting sizable and accurate data on the area. These expeditions were organized by numerous professionals and largely without Park Service assistance. But the Park Service benefitted directly from the expeditions. The defined intent of the 1933 expedition was to provide "authentic and unbiased information which will be of both scientific and practical value to the Government and may help to form the basis for any plans which may be projected for the future administration of the area." [181] Ansel F. Hall, Chief of the Park Service's Field Division of Education, served a dual role in the Rainbow Bridge explorations. While the Park Service was not officially in charge, various Service employees (such as Hall) were involved in the expeditions. Due to the enormous financial strains of the Great Depression, NPS involvement was cursory; men like Hall administered all their expedition duties, such as planning or participation, on their own time and without using NPS resources. Hall led the 1933 group while on vacation from his post with the Park Service. The expedition was guided and supplied by John Wetherill. Since this was not a tourist endeavor, Wetherill was chosen for his knowledge of the terrain and ingenuity as a packer. The expedition was conducted as a cooperative effort and did not benefit from federal funding, since the Depression had made "unnecessary" scientific endeavors low funding priorities. The members of the expedition, teachers and students that came from universities across the nation, paid their own way to Kayenta and their share of the overall expedition costs. Certain transportation and technical services were "donated" by the U.S. Army Corps of Engineers, the Bureau of Indian Affairs, and the U.S. Forest Service. Additional funding came from private monies provided by various academic institutions. [182]

The expedition considered itself to be a preliminary reconnaissance. The group members, including Hall, knew there would have to be investigation of the area beyond the 1933 season. Regardless, the initial trek yielded impressive results. The 1933 expedition had specific goals for each category of investigation. The engineering members generated a detailed map of the Rainbow Bridge Trail (from Rainbow Lodge) and of the monument itself. Numerous members of the group conducted a complete physiographic study of

Rainbow Bridge and its immediate environs. One group mapped the trail from Rainbow Lodge into the monument. Another group mapped Bridge and Forbidding Canyons. Geologists and engineers analyzed the physiographic history of the bridge and tried to construct an accurate picture of how the bridge evolved. The team members also ranged across the region, doing archeological field work at Puebloan sites in Tsegi Canyon as well as investigations related to paleontology, ornithology, and botany. Of major importance was the commitment to collecting primary ethnological data from Navajo and Paiute informants. This ethnological data centered around each Tribe's perception of itself as well as individual Tribal histories related to the immediate vicinity of Navajo Mountain, religion, and place names. [183]

After 1933, the effects of Collier's reorganized BIA could be felt even in remote field settings like the Rainbow Bridge-Monument Valley expedition. Because the Navajo Tribe voted to exclude itself from reorganization under the Wheeler-Howard Act, no funding could be secured for an ethnologist to accompany the 1935 expedition. The language of Wheeler-Howard prohibited funding for ethnological research on any tribe that exempted itself from reorganization. This was a real blow to the expedition and the Park Service. Reliable data regarding local Indian populations was sorely needed during the critical 1930s. But the Navajo unwittingly exempted themselves from ethnological study in their rejection of reorganization. [184]

The 1933 field work at Rainbow Bridge yielded interesting scientific and cultural results. Ansel Hall claimed in his summary report that the intent of the expedition was to provide raw data that could be used at a later date. In the introduction and conclusion of the report, Hall couched all of the rationale for the expedition in terms of the probability that the region would become home to a new national park. The field work continued during the summers of 1934 and 1935. Each of the successive years was marked by cooperative efforts between individuals and federal entities. Between 1934 and 1935 there was continued talk of developing some larger national park along the Rainbow Bridge corridor. These proposals were generally met with hesitancy by the Park Service, as the status of the land surrounding the existing monument was always at issue. Relations between the Navajo Tribe and the BIA and NPS did not improve very much in the 1930s. Interested parties like Bernheimer, who were outside the scope of federal control, were not privy to the pertinent data that made a larger national park seem unlikely. Senators and Congressmen, researchers and buffs were all in favor of simply declaring the larger Glen Canyon basin a federally managed area. They pointed to the exceptional findings of the various summer expeditions that validated the region's unique scientific and scenic value. But the Park Service knew that the area would not be wrested from Navajo control without serious opposition or lopsided concessions. [185] Hall, as subtly as possible, continued to "quietly" lobby for expansion of Rainbow Bridge's boundaries or the creation of a new national park in the area.

In 1936, Congress passed the Park, Parkway, and Recreational Area Study Act, a result of the lobbying efforts of men like Secretary of the Interior Harold L. Ickes. The Park Service had reached the conclusion that the Depression necessitated the urgent examination of the nation's recreational land base. The Act permitted the Park Service to make a comprehensive national survey of park and recreational programs. The survey was to be conducted in consultation with the National Resources Planning Board and individual state planning boards. What the Act did in retrospect was to codify in law the recreational penumbra and purpose of the National Park Service. The Park Service emerged from the 1930s as the preeminent federal recreation agency. [186] In theory, the Act boded well for Park Service desires to enlarge Rainbow Bridge NM and

reserve a larger corridor through Glen Canyon. But neither the Park Service nor Ickes accurately predicted the vehement opposition of Western states, especially Utah, with respect to preserving rights of access and use on lands the Park Service desired to reserve. In the West, the Park, Parkway, and Recreational Area Study Act ran headlong into the Taylor Grazing Act which had passed a little over a year prior.

In 1935 Secretary Ickes, in anticipation of the Park, Parkway, and Recreational Area Study Act's passage, began exploring numerous proposals for new or expanded national monuments in the Southwest. One area, labeled in a memo as the "Colorado River Exclusion," encompassed most of lower Glen Canyon. In its initial inception the area did not include Rainbow Bridge. The ostensible reason for excluding Rainbow Bridge was to avoid conflict with the Navajo Tribe. The boundaries of the proposed new monument, eventually referred to as Escalante National Monument, stopped along the northwestern border of the Navajo reservation. Ickes and the Park Service were aware of the existing political climate. The Paiute Strip had only been back under Navajo control for two years. The probability was low that the Navajo Nation would relinquish control of the Strip to help expand Park Service holdings in the region. Acting Director A. E. Demaray notified various levels of Park Service personnel in the Southwest region about the intention of Secretary Ickes to secure an Escalante National Monument. This memo represented definite indication that the Park Service had decided to pursue protection of the Glen Canyon/Rainbow Bridge region on a greatly expanded scale. [187]

By September 1935, Superintendent Toll was openly lobbying the Director for a new national park or monument on the lower Colorado River at Glen Canyon. Toll suggested the new area be named Escalante National Monument. [188] At the same time the Rainbow Bridge Monument Valley Expedition had blossomed into a full-fledged organization, with a fourteen-member advisory staff and a three-member executive committee. The advisory staff included men such as John Collier, Horace M. Albright, and geologist Herbert E. Gregory. Ansel Hall remained as the expedition's general director. The Park Service also moved into a position of official sanctioner of the expedition, in terms of both permits and funds. Numerous direct expenses, including equipment and transportation costs, were approved to be paid by the Park Service for the 1935 expedition.

The Park Service knew that it would obtain invaluable information that would help bolster its lobbying position in support of a national park in lower Glen Canyon. [189] The Park Service also recognized the power of reclamation forces during this period. The Upper Basin states were busy planning their development of the Colorado River. In June 1935, Superintendent Toll wrote to the Commissioner of the Bureau of Reclamation requesting a "brief statement of the probable future use of the Colorado River." [190] Toll knew that the Colorado would be dammed at various points and wanted to be able to integrate Park Service proposals for monuments and parks into the larger matrix of water reclamation. For unknown reasons Commissioner Mead responded with the vague statement that Reclamation had no definite plans for development of the Colorado River or the Glen Canyon region. He referred Toll to various articles on existing projects such as Boulder Dam but refused to commit the Bureau to any development schemes on the upper Colorado. This kind of information vacuum was something Park Service officials would deal with for years to come, especially in relation to the Colorado River Storage Project (see chapter 6).

The Rainbow Bridge-Monument Valley expeditions continued into the summer of 1936. The data collected over four years of expeditions was enormous. Based on the level of current and reliable data secured by

Hall's teams, the Park Service seriously considered national monument or national park status for a large portion of the Paiute Strip. When Charles Bernheimer inquired after the status of his own national park proposal from 1933, Director Cammerer replied that the Park Service was in fact preparing to lobby for a large monument that might eventually capture Rainbow Bridge and most of the Strip. [191] However, in its official form, the proposal for a new Escalante National Monument stopped at the San Juan River as its southern boundary. The 1936 expedition, which had grown in size to 73 men, made national headlines. Even Ford Motor Company, which provided many of the expedition vehicles, featured the expedition and its key personnel in an article for *Ford News*. The article extolled the virtues of science and, of course, Ford vehicles. [192] More important was the fact that the expedition as well as the environs of Rainbow Bridge received national press.

Aside from considering the creation of a new Escalante National Monument, Director Cammerer solicited the opinion of Frank Pinkley, Southwestern Monuments Superintendent, regarding the possibility of simply expanding the existing boundaries of Rainbow Bridge NM. Pinkley indicated to numerous personnel that the lack of reliable maps necessitated obtaining original Fairchild aerial maps and then verifying the contents of those photos through ground reconnaissance. By December 1937, Pinkley was able to make definite recommendations for expansion of Rainbow Bridge's boundaries. The proposed expansion included Rainbow Lodge, the trail from the lodge to the bridge, and much of the area southwest of Navajo Mountain and west to the Colorado River, then north to the San Juan River. All of the new territory lay within the Navajo reservation. On paper it was an impressive set of boundaries. But the practical pursuit of the plan invited many of the problems that the Park Service knew would accompany the removal of land from Navajo control. [193]

Unfortunately, numerous forces combined to derail both the Escalante National Monument proposal and the expansion of Rainbow Bridge's perimeter. The original Escalante proposal, which totaled some 6,900 square miles, looked more like the present Grand Staircase-Escalante National Monument. It would have established a new preserve that straddled 280 miles of the canyons of the Colorado River, 150 miles of the Green River, and 70 miles of the San Juan River. [194] The area originally proposed totaled over 4,000,000 acres. But the Taylor Grazing Act had only been law for one year prior to the inception of the Escalante proposal. The Taylor Act made long-standing traditions of open-range grazing a matter of law. [195] Utah residents were less than cordial to any Park Service proposals that tampered with their newly legalized rights. Their concerns were well founded. Despite protestations to the contrary, the Park Service intended to progressively phase out grazing in the proposed Escalante monument. In February 1936, Roger W. Toll and J. Lee Brown, representing the Park Service, conferred with Utah Congressman Abe Murdock over the details of the new Escalante National Monument. Murdock indicated that he favored continuation of grazing but "might agree to [Park Service proposals] limiting permits to present users and eventually eliminate grazing by not transferring permits or issuing new ones." [196]

Because of concerns from Utah residents and legislators over the viability of maintaining grazing and mineral rights in the new monument, the Escalante proposal was scaled back to 2,450 square miles that straddled a short section of the Colorado River as it passed through Glen Canyon. Even this modification met with disdain from Utah representatives. By 1940, Secretary Ickes was fighting numerous administrative battles in Congress, including attempts to reorganize various administrative departments under Interior control. According to historian Ronald A. Foresta, the rivalry between the Department of Interior and the

Department of Agriculture reached new heights under Ickes. Agriculture wanted to control western grazing lands that were then administered by Interior. At the same time, Ickes maneuvered to bring the Forest Service under Interior control so he could create a new Department of Conservation. Making the Forest Service and the National Park Service part of the same department would have given Secretary Ickes unprecedented levels of planning and control capability. The merger never took place, in large part because of President Roosevelt's ability to manage federal agencies. It is likely that the Western states would have lobbied fiercely to prevent the merger if Roosevelt had failed to step in. [197] These battles diminished Utah's opinion of any greater federal presence in the state. State leaders in the West represented a long tradition of trying to limit federal land control to those areas that generated revenue for the states. Reclamation was a favorite tool for Western legislators to meet that end. To complicate the situation a little more, the debate was heating up over preliminary plans for dams near Echo Park Canyon, which lay inside Dinosaur National Monument (see chapter 6). Utah representatives were concerned that Interior plans at the Park Service end would conflict with Reclamation plans for development of the Colorado River, leaving Utah in a bureaucratic stranglehold and unable to develop any resources.

In late 1939, the Park Service's support for legislation amending the 1906 Antiquities Act confirmed Utah's fears. The amendment would have empowered the President to authorize "national recreation areas" under the same criteria of the original Act. [198] Utah legislators thought this was tantamount to empire building on the part of Ickes and Interior. Had the legislation passed, Ickes may well have persuaded President Roosevelt to bypass Utah's objections and declare the proposed Escalante National Monument as a national recreation area. But Utah's Congressional leaders were able to block the Park Service's amendment and delay Presidential action long enough for the demands of World War II to supercede extended development of national monuments and national parks. [199]

World War II temporarily curtailed the Park Service's ability to expand the national park system. With America's entry into the war, the Park Service's operating budget was reduced by half and the Civilian Conservation Corps was eliminated. Before the bombing of Pearl Harbor the Park Service employed approximately 5,900 full-time employees. Yearly reductions in staff and field personnel left only 1,500 Park Service employees by June 1944. In 1940, Newton P. Drury became NPS Director. For the first five years of his eleven year term the Park Service focused almost exclusively on protection and maintenance goals. On more controversial issues, Drury remained true to the Park Service's mission. Secretary Ickes opened numerous national park units to war effort-related mining and logging. Drury opposed nearly every one of these measures. He never felt the complete favor of Secretary Ickes and was in a poor political bargaining position when the controversy erupted over Echo Park Canyon and the Colorado River Storage. [200]

Pinkley's proposed expansion of Rainbow Bridge's boundaries suffered the same fate as the Escalante National Monument proposal. Because of the controversy that escalated between Ickes and Utah leaders, Pinkley and Cammerer were unable to modify the Escalante National Monument proposal to include a southerly deviation that captured Rainbow Bridge. In addition, as World War II escalated and priorities shifted away from expanding monuments like Rainbow Bridge, maintaining the monument in its existing form was all the Park Service could accomplish. Ultimately, plans to expand Rainbow Bridge were hobbled by a series of events that really had little to do with the merit of Pinkley's proposal; in fact, the merits of expanding the monument were never debated or discussed beyond a small handful of key Park Service employees. Proposals to expand Rainbow Bridge NM did not surface again for another decade and then only

as part of the larger debate concerning the Colorado River Storage Project.

While World War II and federal/state conflict were definite impediments to expanding Rainbow Bridge NM, it was the shift to water reclamation policies that most affected the long term desires of the Park Service to modify the monument's borders. The Upper Basin states pursued plans to develop the upper Colorado River during the entire course of the war. When World War II ended, President Harry S Truman began promoting his Fair Deal efforts to employ millions of former military personnel. The Upper Basin states knew that they had the necessary combination of presidential support, available manpower, and legal right to pursue development of Colorado River reclamation. It was in this climate that the Colorado River Storage Project really took off. NPS and the Bureau of Reclamation both knew that trying to meld recreational preservation with hydroelectric development would be difficult. At the time, the only national recreation area was Lake Mead, created in 1936 after the construction of Boulder Dam. But the precedent for Park Service involvement in the recreational use of Reclamation projects was set at Lake Mead. During the Park, Parkway, and Recreational Area Study, Lake Mead was determined to hold enormous recreational potential. Managing this potential was definitely outside the purview of the Bureau of Reclamation in 1936; therefore, in October 1936 the Park Service signed an agreement with the Bureau of Reclamation to manage public recreational use on and around Lake Mead National Recreation Area. [201] This new category of Park Service underpinned the transition to Glen Canyon NRA in the 1960s. It also made Reclamation projects in Glen Canyon more plausible.

The administrative difficulties of managing Rainbow Bridge NM between 1950 and 1955 centered around the Colorado River Storage Project (see chapter 6). In the early years of the proposal, consideration was given to the possible effects of impounded waters on Rainbow Bridge. The Park Service knew that a massive dam in Glen Canyon would eventually impound enough water to reach up the Colorado River and possibly invade the monument's boundaries. There was even early discussion between Park Service officials and the Bureau of Reclamation over developing protective structures that could prevent any adverse contact between the bridge and the waters of Lake Powell. But the Park Service maintained that until the dam was built and water was impounded, the possibility of any negative consequences to the bridge was merely speculation.

Based on the available data regarding Glen Canyon Dam, the Sierra Club organized a National Committee for a Glen Canyon National Park. It also organized a Utah committee dedicated to the same goal. In August 1954, the Utah committee's spearhead, Dr. William R. Halliday, wrote to numerous club members regarding plans for the proposed park. The Utah Committee prepared a detailed statement in favor of a new national park that would straddle the Colorado River from Hite to Lee's Ferry and the San Juan River from Mexican Hat to the confluence with the Colorado. Naturally the proposal called for extended corridors around Rainbow Bridge. [202] The boundaries were strikingly similar to Secretary Ickes' Escalante National Monument proposal from the 1930s. Like most Sierra Club documents regarding Glen Canyon, the national park proposal was based on the Sierra Club's belief that the fiscal propriety of the dam was tenuous and the legal imperative regarding the protection of national parks and monuments was paramount. But the political reality of the mid-1950s was not favorable to the idea of protecting Glen Canyon. NPS Director Newton P. Drury had already resigned under the duress of trying to prevent dams in Echo Canyon and elsewhere. Douglas McKay occupied the office of Secretary of the Interior and was known to be in complete support of dams on the Colorado River. In addition, the Bureau of Reclamation enjoyed the favor of most of the Western states because their plans for the Colorado River ensured that the Upper Basin would receive its

rightful share of water in the face of California's voracious and growing need. The Sierra Club proposal never made it beyond its own committee. Congress approved the Colorado River Storage Project a year and a half later.

The first forty-five years of Rainbow Bridge NM were filled with activity. The Park Service during this period was dominated by people committed to the idea that Rainbow Bridge represented a stunning piece of natural architecture that should be preserved and protected. During the early life of the monument, the forces of reclamation and development were in a nascent phase and did not represent a serious challenge to the Park Service's mission at Rainbow Bridge. Between 1933 and 1955, regional demands for water and the growing political clout of the Bureau of Reclamation compelled the Park Service to reevaluate its goals at Rainbow Bridge. The Park Service was forced to consider management scenarios that included water from Lake Powell inside the boundaries of Rainbow Bridge NM. As will be seen in chapter 6, external forces put the Park Service and its leadership in an awkward position in their attempts to preserve the monument in its relatively unfettered state. The remote and "undiscovered" nature of Rainbow Bridge and Glen Canyon was, in the end, the greatest handicap the monument faced. The post-World War II fervor to reclaim the waters of the West was more than any federal agency, including the National Park Service, could compete against.

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Rainbow Bridge

Administrative History



CHAPTER 5:

Issues and Conflicts I: Rainbow Bridge Religion and Navajo Legal Claims, 1863-1998 (continued)

There was and still is a long history of Native American activity at Rainbow Bridge. Between 1970 and 1971, when the waters from Lake Powell began to creep up Bridge Canyon and into the monument, some Navajos were more than a little concerned. They were certain of their own history at the bridge and gave little thought to the fact that their history was unwritten. Outside some case-specific context, Navajos did not feel any need to record in written form the practice of religious ceremonies at Rainbow Bridge. Sometimes cultures overlook the significance of recording an activity when that activity is frequent and not out of the ordinary. In any event, the steady advance of encroaching waters between 1970 and 1974 dictated that the Navajo had to do something to preserve their religious heritage.

On September 3, 1974, the Navajo Legal Aid Society (DNA) filed suit in U.S. district court to stop waters from Lake Powell from entering Bridge Canyon. [219] The plaintiffs were eight Navajo singers, including Nakai Ditloi, Lamar Badoni, Teddy Holiday, and Jimmy Goodman. Shonto, Navajo Mountain, and Inscription House chapters of the Navajo Nation were also listed as plaintiffs. The suit named some important defendants: Bureau of Reclamation Commissioner Gilbert R. Stamm; NPS Director George B. Hartzog; and Secretary of the Interior Rogers C.B. Morton. The relief sought in the suit centered around the Navajo claim that "Rainbow Bridge [was] a religious symbol and a focal point through which many prayers and religious ceremonies derive meaning and vitality by reason of its role in the emergence of the Navajo people." The suit argued two major claims for relief. In the first claim, the suit alleged that the flooding of Bridge Canyon by water from Lake Powell desecrated or destroyed numerous sites of religious significance. Additionally, the improved accessibility to Rainbow Bridge provided by Lake Powell had resulted in thousands more tourists in the monument. This directly impeded the ability of Navajo singers and others from performing religious activities at and near the bridge. The negative physical impacts on Rainbow Bridge and its environs, occasioned by increased tourist visitation, were also cited as part of this claim for relief. As a result of these harms, the plaintiffs alleged that their ability to pursue the free exercise of religion was impeded by the current operational status of Glen Canyon Dam and Lake Powell.

The first claim for relief sought a specific response. The plaintiffs demanded that the Bureau of Reclamation and the National Park Service "to take appropriate steps to operate Glen Canyon Dam . . . in such a manner that the important religious and cultural interests of [the] plaintiffs will not be harmed or degraded." This meant releasing enough water from Lake Powell to let its waters recede from Bridge Canyon. It also meant implementing any measures necessary to curtail harmful tourist activities at the bridge. This claim expressed a concern that was new to the Park Service: Native American belief in the spiritual and cultural significance

of a natural edifice and the role of that edifice in the free exercise of a Native American religion. This concept predated the American Indian Religious Freedom Act (AIRFA) by four years. The language used in the DNA suit for describing the sacrosanct status of Rainbow Bridge and its relationship to Navajo religious freedom was strikingly similar to the language eventually used in the AIRFA. But in 1974, the AIRFA did not exist. It is likely that the significance of the Navajo suit and the damages claimed at Rainbow Bridge were definite contributors to the passage of the AIRFA in its final form. After all, the decision in *Badoni v. Higginson* came less than a year before the AIRFA. Unfortunately the documentary evidence to verify such a claim is beyond the resources and scope of this administrative history. [220]

Because the AIRFA was not law by 1974, the DNA suit made use of existing legislation to underpin the demand for injunctive relief at Rainbow Bridge. The second claim for relief raised the specter of the Colorado River Storage Project (CRSP) and the historic relationship between the Department of the Interior and Native American tribes. This complaint stipulated that the improper operation of the Glen Canyon Dam violated Section 1 of the CRSP, which mandated the Secretary of the Interior to take adequate protective measures against the impairment of Rainbow Bridge NM. The suit stipulated that protecting the monument meant more than just safeguarding its physical resources. DNA attorneys argued that the plaintiffs were the intended beneficiaries of Section 1, because of their unique and verified interest in the integrity of the bridge and its environs.

The suit also observed that "the Secretary of the Interior, by virtue of his position of overseer of Indian Affairs, occupies the position of a fiduciary with respect to the plaintiffs, and thus owes them the highest level of care in actions taken by him which impinge on the rights and interests of [Navajos] and other Indian peoples." The historic relationship between the federal government and Native Americans was employed here to denote a vested Navajo interest in the effects of decisions made by the Secretary of the Interior. Navajo interests could not be separated from Rainbow Bridge interests; therefore, the Secretary of the Interior was obliged to protect Navajo interests as part of his obligation stipulated in Section 1 of the CRSP. The framers of the CRSP had obviously overlooked an important possibility in the intent of Section 1: that more than the physical elements of Rainbow Bridge required protection. Navajos were arguing that spiritual integrity was as important as physical integrity, which allowed the possibility that desecration of religious sites at Rainbow Bridge constituted impairment.

The issues in these claims clearly revolved around what constituted impairment and whether or not spiritual harm was a justifiable cause for relief. The courts had little practice establishing the veracity of Native American spiritual claims on natural features like Rainbow Bridge. In an unprecedented decision, Judge Aldon J. Anderson ordered a study be undertaken to determine the legitimacy of Navajo oral tradition regarding the religious significance of Rainbow Bridge. The court asked ethnographer Karl Luckert to complete this task. Luckert's collection of oral histories, *Navajo Mountain and Rainbow Bridge Religion*, was the result. Luckert designed a series of oral interview questions that tried to discern not only the details of the Navajo origin story but also the process by which that story was handed down for preceding generations. As discussed previously in this chapter, Luckert's efforts established a clear and consistent tradition of the bridge's importance to western Navajos.

Federal attorneys argued that summary judgement should be granted to the defendants for one simple, yet overwhelming, reason: the plaintiffs lacked claim to protection of free exercise of religion because they had no property interests in Rainbow Bridge NM. The Navajo Nation did not own the 160 acres that comprised

the monument; therefore, the government was under no obligation to protect Navajo religious freedom. Doing what the Navajo plaintiffs demanded regulating a unit of the national park system for the benefit of non-owners to conduct private religious ceremonies violated the Establishment Clause of the First Amendment.

The First Amendment forbids Congress from establishing a state religion; consequently, legal disputes have arisen periodically over government actions that might constitute an endorsement of a specific religion. This historical controversy became a permanent part of the legal disputes involving Rainbow Bridge. Government attorneys further argued that regulating tourist traffic at the monument in such a way that permitted Navajo access to the bridge for religious reasons while denying non-Navajo visitor access also constituted a violation of the Establishment Clause. The defendants claimed that for any violation of free exercise to occur, the plaintiffs had to establish a verifiable claim on the site where religious ceremonies took place.

Federal attorneys also filed a motion to strike the Luckert report, arguing that the subjectivity of the report's contents could not be contested by law. The court's reaction to the report was two-sided. On one side the court recognized the validity of Navajo claims to a court's decision to rule in summary judgement in favor of the defendants. As an aside, the court said it "the accepts as established and true all the facts and conclusions in the affidavit and monograph of Dr. Luckert." [221]

Unfortunately for the Navajo plaintiffs, the court's willingness to accept the existence of some religious tradition was not enough. Judge Anderson ruled against the Navajos on December 30, 1977, citing two rationales for denying Navajo claims. First, the plaintiffs did not have a free exercise claim because they had no property interest in the monument. The government, by extension, had no responsibility to uphold the free exercise of religion on land it managed as part of the federal estate. Second, even if the plaintiffs could prove a cognizable free exercise claim, the government's interests in the continued operation of Glen Canyon Dam and the larger CRSP outweighed any free exercise claims made by the Navajos. Regarding the specific claims of religious significance at Rainbow Bridge, Judge Anderson went even further. Underpinning his ruling, Anderson cited *Wisconsin v. Yoder*, a case involving the Wisconsin Board of Education and a group of Amish residents. In *Yoder*, the court ruled that Wisconsin laws regarding compulsory public education violated Amish principles and the free exercise of their religion. [222] In the final ruling on *Yoder*, the Supreme Court concluded that the Amish claim to protection under the First Amendment was valid because the traditional way of life for the Amish was not simply a matter of personal preference but "one of deep religious conviction, shared by an organized group, and intimately related to daily living."

It seemed to the Navajos and their attorneys that *Yoder* actually supported the claims on Rainbow Bridge. The Navajo chapters listed as plaintiffs were an organized group, their religion was a way of life, Navajos had no choice about their Native American birth identity. Moreover, the court had acknowledged the veracity of Navajo faith regarding Rainbow Bridge in its support of Luckert's monograph. But Judge Anderson interpreted *Yoder* differently than the plaintiffs. On the issues of religion, Rainbow Bridge, and the free exercise of Navajo beliefs, Anderson wrote "the present plaintiffs have gone to great lengths to construct a cognizable action out of their claim of First Amendment religious infringement. Again, however, even assuming that all the assertions as to the existence of plaintiffs' beliefs are true, it is apparent that these

interests do not constitute 'deep religious conviction[s], shared by an organized group and intimately related to daily living.'" [223] Based on the apparent contradiction of this rationale, DNA attorneys appealed the Anderson decision to the federal Circuit Court of Appeals in Denver.

The appeals process is generally a long and winding road. This was not the case in *Badoni v. Higginson*. DNA attorneys filed their appeal August 16, 1978, five days after passage of the American Indian Religious Freedom Act. The appeal reasoned that the lower court "in determining the existence of sincere and bona fide religious beliefs on the part of the appellants. . . disregarded the record, [and] applied erroneous and unduly restrictive legal standards." [224] Much of the appeal concerned the lower court's decision regarding Navajo property interests in the monument. Attorneys for the Navajos argued that free exercise claims could be predicated solely on non-economic interests and that title to the land in question was irrelevant. The appeal contended that the Navajo possessed historic and aboriginal claims on the area surrounding Rainbow Bridge, claims denied only by the Treaty of Bosque Redondo and the illegal use of force in removing the Navajos to a reservation. The land surrounding the bridge had been added to the Navajo reservation by executive order on May 17, 1884. It remained part of the Navajo reservation until it was removed by another executive order on November 19, 1892. Given that Navajo cultural tradition maintained aboriginal claims on the bridge, and the federal government had at one time codified this claim in executive order, Navajo attorneys argued there was significant reason for the appellate court to rethink the standards for "property interest." Citing numerous legal precedents, the Navajo appellants maintained that proving actual title was not material to establishing interest in property. [225]

If the Navajo plaintiffs could claim an interest in Rainbow Bridge without establishing title, the appellate court would then weigh the interests of the government against the religious interests of the Navajos. To this end, the appeal indicted the application of *Yoder* as a standard for testing religious conviction. The appeal contended that even the Supreme Court recognized that the Amish standard was one which few other religions meet. Requiring that any religious claim made under the First Amendment must constitute deep religious conviction and be shared by an organized group and be intimately related to daily living would exclude many beliefs traditionally recognized as religions. Many religious people or groups have eclectic beliefs that are not uniformly shared; very few can make the Amish claim that their beliefs are thoroughly and intimately related to the daily lives of their adherents. In Anderson's application of *Yoder*, most religions and their adherents would not be protected by the First Amendment. [226] This was a compelling argument. The appeal further contended that the standard in *Yoder* was more a test of what constituted religious lifestyle than it was a test for determining religious veracity. In *Yoder*, the Supreme Court never questioned the legitimacy of the Amish religion. The appellants claimed that *Yoder* was incorrectly applied in *Badoni*.

The appellate court was not swayed. The Navajos hoped that the national and legislative mood embodied in the AIRFA would favor their case. The AIRFA had been law for two years when the district court announced its decision. But it was not a decision or rationale the Navajos expected. To the issue of property interests in the monument, the appellate court responded that establishing an interest was not necessary as a consideration in evaluating a legitimate free exercise claim. To the issue of whether or not Navajo religion was an established enough practice to be protected under the First Amendment, the court responded favorably. Judge Logan, writing for the appellate court, said that in reviewing Judge Anderson's summary judgement, the court viewed "the facts and reasonable inferences drawn therefrom in the light most favorable to [the] plaintiffs." Logan subsequently validated most of the Navajo claims regarding their

religious interests at the bridge: the existence of sacred springs, the need to pray at the bridge, generational importance of the bridge to Navajos, and the desecrating effect of tourist activity and inundation on Bridge Canyon and its holy environs as a result of allowing Lake Powell waters to enter the monument. Effectively Judge Logan was acknowledging that Navajo religious activity was a protected free exercise of religion, based on the validity of Navajo oral and cultural tradition rather than the existence of any title claim to the land in question. The most surprising part of the ruling was the court's assessment of whether or not Navajo First Amendment rights could be balanced against federal interests in Lake Powell.

One of the government claims in the lower court decision stated that regardless of the veracity of the Navajo religious claims, the government can preclude the free exercise of religion if there are interests of great enough magnitude to justify the infringement. In the case of Rainbow Bridge, the district court paid special attention to the fact that Glen Canyon Dam was one in a chain of water storage projects which meant that its significance was married to the overall Colorado River Storage Project and could not be evaluated in the vacuum of a religious freedom claim, Judge Logan wrote:

We agree with the trial court that the government's interest in maintaining the capacity of Lake Powell at a level that intrudes into the Monument outweighs plaintiffs' religious interest [Evidence] shows that the storage capacity of the lake would be cut in half if the surface level were dropped to an elevation necessary to alleviate the complained of infringements. The required reduction would significantly reduce the water available to the Upper Basin States of Colorado, New Mexico, Utah and Wyoming from the Colorado River. Such a reduction . . . would among other things limit and reduce the development of water supplies within these States on either a permanent basis or on a limited long-term basis for irrigation purposes, for development of mineral and other natural resources, and for municipal and industrial water supplies. . . . Moreover, it is reasonable to conclude that no action other than reducing the water level would avoid the alleged infringement of plaintiffs' beliefs and practices. In these circumstances we believe the government has shown an interest of a magnitude sufficient to justify the alleged infringements. [[227](#)]

Despite the legislative mood favoring the free exercise of Native American religion, and the court's favorable opinion of Navajo religious claims, the court ruled in favor of federal managers. Judge Logan balanced the interests of the Navajos with the interests of the various states involved in the CRSP and on that playing field, religious freedom could not compare with economic prosperity. The Navajos were left with the unpalatable reality that they had proven their case but did not measure up to the interests of the state or federal government.

On specific Navajo claims that NPS policy encouraged increased and reckless visitation by tourists, and the effect of that visitation on Navajo religious practices, the appellate court was less generous. Granting Navajo demands for periodic private access to conduct religious ceremonies or ordering the Park Service to enact regulations designed to force monument visitors into solemn or deferential behavior would constitute federal endorsement of one religion over all others at the monument. This, the court ruled, would clearly violate the Establishment Clause of the First Amendment. On this claim, the issue of real property interest also worked to the disadvantage of the Navajos. Judge Logan wrote "we find no basis in the law for ordering the government to exclude the public from public areas to insure privacy during the exercise of First

Amendment rights. . . . We do not believe plaintiffs have a constitutional right to have tourists act in a respectful and appreciative manner. . . . Were it otherwise, the Monument would become a government-managed religious shrine." [228]

The key, according to the court, was that no matter what title-based claims Navajos had made in the past, Rainbow Bridge NM was a public area and all members of the public had equal right to access and use. As long as no law was being broken, federal managers were not empowered or obligated to regulate the behavior of monument visitors. Navajos were left in a quandary. While the court had validated some of the most important moral claims made by Navajos (issues of religious veracity), the ruling made it a matter of law that Native American religious interests could be violated if the opposing interests were compelling enough to justify infringing on First Amendment protections. The Navajo Nation did not find relief for its claims in the courts. The development of a policy that addressed both Navajo and Park Service needs at the monument would have to evolve from mutual cooperation, not from a judicial order. It was not long before the Park Service and the Navajo Nation started looking for the middle-ground many issues.

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Rainbow Bridge

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CHAPTER 5:

Issues and Conflicts I: Rainbow Bridge Religion and Navajo Legal Claims, 1863-1998 (continued)

The National Park Service spent much of the 1960s embroiled in numerous legal battles involving Section 1 of the CRSP and protection of Rainbow Bridge (see chapter 6). Between 1960 and 1978, the Secretary of the Interior and the Director of the National Park Service were sued four times by three separate groups. Rainbow Bridge and its particular relationship with Lake Powell was a never-ending source of controversy. Despite this atmosphere, the Park Service fostered certain relationships with care and concern. Between 1960 and 1975 the Park Service dedicated significant time and resources to developing a cooperative agreement with the Navajo Nation over fights, access, and commercial management at Lake Powell. The details of those negotiations are discussed in Chapter 7. Suffice to say that Park Service personnel were concerned with ensuring the Nation was treated fairly at Lake Powell while still maintaining a proper degree of visitor access at Rainbow Bridge. The Nation was more than stressed by the process of dealing with Anglo bureaucrats over issues it thought were non-issues. Navajos never understood or agreed with the need to comply with Park Service and Reclamation regulations and requirements concerning concessions and facilities at Lake Powell. The combination of this strained relationship with local Navajos and the reality check imposed by *Badoni v. Higginson* also compelled NPS to reevaluate its interpretive perceptions of Rainbow Bridge.

The mood of most Navajos after *Badoni* was subdued. They realized too late that the economic importance of water reclamation was more than their lawyers or prayers could manage. But the Park Service was not immune to the Navajos' needs at Rainbow Bridge. *Badoni* made it plain to the Park Service how the Navajo Nation felt about Rainbow Bridge. *Badoni* made public the Navajo belief that Rainbow Bridge was central to their origin story and that prolonged desecration of the bridge would not be tolerated. In internal memos written during the 1974 suit, the Park Service took stock of its secular interpretation of Rainbow Bridge. NPS maintained that its defense in the suit was not directed at Navajo beliefs about Rainbow Bridge. The plaintiffs, as part of the many claims for relief in *Badoni*, demanded that the Park Service restrict visitor access to the bridge in favor of Navajo religious use. As a matter of legislative mission the National Park Service was compelled to deny this request, adhering to the legal and legislative tenet that Rainbow Bridge was part of the public domain and must remain accessible to the public. Access could not be denied no matter who held it sacred. But the mood at the Park Service changed during the suit.

Thirty-eight days after the court issued a decision in *Badoni*, and months before the AIRFA passed, the Secretary of the Interior instructed Park Service personnel to begin accounting for Native American cultural resources in management and planning activities. The Secretary outlined this policy in Special Directive 78-

1, which read in part:

In carrying out its mandate for the conservation and public enjoyment of park lands and their resources, the Service, consistent with each park's legislative history, purpose and management objectives, will develop and execute its programs in a manner that reflects informed awareness, sensitivity, and serious concern for the traditions, cultural values and religious beliefs of Native Americans who have ancestral ties to such lands. [229]

The purpose of SD 78-1 was to revise the Park Service's overall management plan to include Native Americans in significant and official ways. Even if the Park Service knew that the AIRFA was imminent, this was a bold step. The Park Service revamped its own policy to account for issues raised in both *Badoni* and the eventual passage of the AIRFA. SD 78-1 also directed local park and monument managers to encourage and foster Native American involvement in local policies related to cultural resource management, and planning. SD 78-1 was not ambiguous with its intent: "Where planning, development, or interpretation relate to Native American interests, consultation with Native Americans is very important."

Within two months, the Statement for Management for Rainbow Bridge NM was in flux. In January 1979, the Park Service completed an informal survey of all of its units regarding the potential for religious significance to Native American groups. While the report was cursory, it concluded, "it is generally understood that Rainbow Bridge has a sacred significance to the Navajo." [230] The Statement for Management for Rainbow Bridge was expanded to include discovery and development of the cultural significance of the bridge. By 1979 the Park Service developed and adopted a religious liaison program to meet the legal requirements of the AIRFA. The program appointed special liaisons to help with implementation of the specific tenets of the AIRFA. Consulting religious leaders from every tribe affected by the AIRFA was a key goal in the early 1980s. [231] In 1981 the Park Service completed a draft version of the Native American Relationships Policy (NARP), an extension of the religious liaison program. The Park Service realized that part of its mission, in light of the AIRFA, was to interpret in certain park areas the "cultural heritage of the Native American." The legislative intent of the AIRFA trickled down to Rainbow Bridge in the form of yet another revision to the monument's statement for management. The revised management objective was "to strive to foster and maintain a better cooperative relationship for the use and protection of the national monument with the Navajo Tribe." [232] The Park Service knew it could not remove the waters of Lake Powell from the monument; but, it was willing to accommodate the Navajo Nation to the best of its ability while staying within legal limits.

As plans solidified during the 1980s for equitable management of Lake Powell's resources, the Park Service undertook an ethnographic study project. Pauline Wilson, the American Indian Liaison for Glen Canyon National Recreation Area (NRA), conducted numerous interviews with members of the local Navajo Nation chapters. The interviews were specifically designed to discern the level and type of religious activity engaged in at Rainbow Bridge. Based on these interviews, Wilson determined that Navajos "viewed their religious significance of the Rainbow Bridge as a very private activity." Wilson also noted that "in this situation, the public has impacted the Bridge so much that it has limited the religious activities tremendously since the lake establishment. Therefore, the Navajo People have adjusted to the impact rather than opposing the situation." [233] That lack of opposition did not last much longer.

To cope with the numerous command and control issues at Rainbow Bridge, the Park Service also began working on a General Management Plan (GMP) for the monument. The GMP went through numerous revisions before sufficient cooperative efforts produced the final draft. As a result, the Park Service realized that some of its management efforts made during the previous thirteen years did not address the expanding expectations of Navajos and tourists. More of the administrative details of the GMP are explored in chapter 7. But one of the major tools developed in the GMP was a framework for dealing with the religious issues surrounding Rainbow Bridge. An important part of this plan was limiting the number of visitors to Rainbow Bridge to approximately 400 people at one time (PAOT). [234] This constituted an overall increase in annual visitation but might reduce the maximum daily visitation during peak months. The first draft of the GMP also suggested that everyone who wanted to visit the bridge, including Navajos, should be required to obtain a permit and reservation prior to their visit. The permit proposal met with immediate criticism from both Navajo and Anglo sources. Alan S. Downer, the historic preservation officer for the Navajo Nation, said it was absurd to suggest that Navajos be required to obtain a permit to use something they had always considered sacred and holy. Speaking in the local press, Downer suggested other additions to the GMP: stricter limits on visitation, mandatory Navajo interpreters, and restricted traffic under the bridge. [235] Terri Martin of the National Parks and Conservation Association agreed with Downer, reiterating that the proposed visitation limits in the GMP would definitely result in overcrowding at the bridge and extensive ecological damage. [236] Martin suggested that the result would be "a carnival type atmosphere." [237] The Navajo Nation was certainly opposed to this possibility.

The first draft of the GMP, published in September 1990, was not an adequate response to the multifaceted concerns over Rainbow Bridge. The lack of local input was obvious. To remedy this problem, the Park Service involved the local chapters of the Navajo Nation even more closely than before. Each affected Navajo chapter held planning meetings to express detailed concerns over the GMP. Park Service officials were present at many of these meetings. The various drafts of the GMP that followed these input and planning sessions were significantly different from the first draft. Some of the modifications included limiting visitation during peak season to fewer than 300 PAOT. Revisions also suggested daily time restrictions on visitation, providing tour groups a limited window of four to six hours to see the monument. [238] By February 1992, the most recent draft of the GMP limited visitation to between 40 and 200 PAOT. It also included proposals for a reservation system and a shuttle service that moved people from a contact station outside the mouth of Bridge Canyon to the docks below Rainbow Bridge. [239] These changes represented the management direction most preferred by the Navajo Nation.

By June 1993, the final draft of the General Management Plan was ready. The visitation level was set at 200 people at one time during the peak season. The plan also recommended that NPS interpreters be assigned to all tour boats entering the monument. This part of the GMP had two purposes: to facilitate monument interpretation and to ensure orderly and appropriate ingress and egress at the monument docking facilities. While the GMP allowed for discouragement of visitor access to areas close to the bridge, the plan made no stipulation restricting visitors from approaching the bridge via approved trail access. The plan classified the entire monument a "natural zone." This meant that in addition to the bridge's proposed status as a traditional cultural property, the monument would be managed based on natural resource sensitivity and the potential for negative impacts to extant ecology. The bridge represented the outstanding natural feature subzone; by extension, NPS was to manage the monument based on concerns for the bridge's physical integrity and not just its importance to Native Americans. The final GMP made no attempt to restrict visitor access in

deference to Native American use; in fact, the GMP referenced *Badoni* a number of times to reiterate the Park Service's mission to manage for the benefit of the general public. The final GMP also included an interpretive prospectus that mapped the history of the monument; the area's significance; the monument's cultural and natural resources; and, the history of the area's use coupled with Native American concerns. [240] But even the execution of a management plan would not help the Park Service avoid conflict or controversy in administering the monument.

Rainbow Bridge was a contested space as soon as it was first mapped. The debates ranged from who discovered what and when they discovered it to the controversial role of dams and reservoirs in the national park system to the responsibilities of officials charged with protecting the bridge from harm and preserving it for religious use. Navajos had long been present in the region, even when Anglos were nowhere near Navajo Mountain. The frustrations of some Navajos over religious use and restricted access came to a head in 1995. On August 11, 1995 a small group of Navajos and Anglos calling themselves Protectors of the Rainbow, announced that beginning immediately they wanted to deny public access to the bridge for a four-day period. They intended to perform cleansing and other religious ceremonies that they could not perform during the constant flow of tourist activity. [241] By 1995 over 1,000 tourists per day (during peak season) made the trek along Lake Powell into the monument. The Protectors of the Rainbow were angry that despite the best intentions of the Park Service, visitation had increased after the GMP was adopted in 1993 and abuses at the bridge continued. The Protectors of the Rainbow felt that the trust Navajos extended to the Park Service had been violated. "Many desecrations and defilements have been permitted by the Park Service during the 25 years in which the Navajo Nation has allowed the Park Service to conduct tours [at the bridge]," claimed the press release issued by the Protectors of the Rainbow. [242]

The Park Service responded with deference. There were no attempts made to remove the protesters, and the ceremonies took place without incident. [243] On August 15, four days after the protest began, the Protectors of the Rainbow ended their ceremonies and returned control of the bridge to the Park Service. In a post-occupation press conference, members of Protectors of the Rainbow said they wanted to demonstrate "Navajo sovereignty and to bring a renewed level of spirituality to the people." [244] The protestors also made references to frustrations over their failure to secure tour boat concessions from the Park Service. The Navajo Mountain Chapter of the Navajo Nation denied any affiliation with the protest, as did the Navajo Nation. Regardless, the event illustrated that some Navajos were not willing to watch passively while the bridge was continually over-crowded. The Park Service for its part became even more willing to do what it could to facilitate respect for Navajo beliefs at Rainbow Bridge while still adhering to its own legislative mission and the letter of the law as expressed in *Badoni*.

In July 1995, the Park Service placed a sign near the bridge asking tourists and visitors not to approach or walk under the bridge. The new signage was part of the requirements of a Programmatic Agreement (PA) signed by the Park Service and five Native American tribes that claimed cultural or spiritual affinity with Rainbow Bridge. The intent was not to physically prevent any visitor from approaching the bridge but to "discourage" such activity. In addition, the Park Service removed references in printed materials to the two historic trails so as to discourage excessive hiking in the region. The PA formalized plans to for a viewing area, located at the trail head. The viewing area was constructed from a natural Kayenta Sandstone platform bordered by small boulder. Rather than pave the trail to the bridge, the Park Service used a pine-based organic hardener to stabilize the trail. The organic hardener would not restrict the movement of Navajo

spirits to and from the various under worlds. The one thing the Park Service could not do was require tourists to stay back from the bridge.

How far the Park Service could go in regulating visitor access and activity at a national monument was tested in Wyoming District Court in 1996. In February 1995, NPS managers at Devils Tower National Monument (NM) did two things. First, in their Final Climbing Management Plan (FCMP), they instituted a voluntary ban on climbing during the month of June, "in respect for reverence many American Indians hold for Devils Tower as a sacred site, rock climbers will be asked to voluntarily refrain from climbing on Devils Tower during the culturally significant month of June." In addition, the Park Service, placed signs along access trails to the Tower which indicated the lands off-trail were sacred to Native Americans. The signs asked hikers not to leave the trail. Lastly, NPS decided that if the voluntary ban was not sufficiently successful, it would encourage compliance by not issuing any commercial use licences for guided climbing activity. Facing issues similar to those at Rainbow Bridge, Park Service personnel at Devils Tower NM decided to defer to Native American interests through a dedicated policy of voluntary compliance. [245]

The policy continued through the 1995 season and commercial permits were denied in June 1995. The lawsuit came in March 1996 in Wyoming District Court. In *Bear Lodge Multiple Use Association v. Babbitt*, climbing guides filed suit based on the Establishment Clause of the First Amendment, arguing that the Park Service's express purpose for restricting commercial and private activity at Devils Tower NM was to promote Native American religion. [246] The Court split in its June 1996 decision. The Court held partly for the plaintiffs, ruling that refusing legitimate commercial activity permits for the purpose of securing private Native American religious access to the Tower was a violation of the Establishment Clause. But the Court also ruled for the Park Service on the constitutionality of their policy of voluntary compliance with not climbing during the month of June and voluntarily refraining from leaving the trails that accessed the Tower. The Court specifically stated:

The Defendants' efforts to fashion a voluntary program whereby climbers are encouraged to show respect for American Indian religious and cultural traditions is both laudable and constitutionally permissible. The Defendants' solicitous concerns for Indian religion and efforts to provide reasonably unfettered access to Indian sacred sites is also in keeping with the American Indian Religious Freedoms Act ("AIRFA"), 42 U.S.C.1996. Yet it must be remembered that the purpose of this act is to ensure that American Indians are afforded the protections guaranteed by the First Amendment's Free Exercise Clause and was not intended to grant rights to Indians in excess of those guarantees. [247]

The Park Service at Devils Tower NM subsequently modified the FCMP to allow for the Court's ruling, eliminating the ban on commercial climbing permits during June. The Mountain States Legal Fund, litigating on behalf of Bear Lodge, appealed the Court's second order concerning the constitutionality of a voluntary climbing ban. Eventually the Supreme Court refused to hear argument on the case and the Wyoming Court's opinion held in the absence of Supreme Court action. The Park Service had a firm idea of how far it could go to facilitate relations with Native American groups with respect to visitor activity at a national monument.

After *Bear Lodge*, and in consultation with Native American groups, Park Service personnel at Glen Canyon

NRA modified the signage at Rainbow Bridge once more. In 1997 the Park Service placed a sign at the viewing area (250 feet north of the bridge) that asked visitors to voluntarily refrain from walking directly under the bridge. [248] Joe Alston, superintendent for Glen Canyon NRA, knew that any attempt to prohibit public access to the bridge in favor of Native American religious beliefs would be seen the same way the commercial climbing ban was interpreted at Devils Tower NM. Using the word "voluntary" clarified the intent of the Park Service's policy. The Park Service never intended to prohibit access to the bridge. Even Native American groups whom the Park Service regularly consulted agreed that total prohibition would not work. The contemporary policies concerning Native American religion and access to Rainbow Bridge are detailed more thoroughly in Chapter 8.

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<http://www.nps.gov/rabr/adhi/adhi5b.htm>

Last Updated: 07-Feb-2003

Rainbow Bridge

Administrative History



CHAPTER 6:

Issues and Conflicts II: Rainbow Bridge National Monument and the Colorado River Storage Project, 1948-1974 (continued)

The desire to protect Rainbow Bridge also became a matter of law during the battle over the CRSP. Environmentalists had successfully manipulated public opinion against Echo Park dam. The thousands of letters people sent to Congress were reportedly running eighty to one opposing the dam. [266] Even Secretary of the Interior Douglas McKay withdrew his support for Echo Park dam in late 1955. [267] To solidify their imminent victory at Echo Park, the Council of Conservationists and Brower agreed to back off of the proposed dam at Glen Canyon. Glen Canyon was not protected with any federal designation and the threat to Rainbow Bridge was distant at best. Brower grudgingly was convinced that the Bureau of Reclamation would keep its promises to protect Rainbow Bridge, but not without certain provisos. [268] In October 1955, Brower and the Council of Conservationists agreed to cease opposition to the CRSP on two conditions. First, Reclamation had to remove all language regarding Echo Park and Dinosaur NM from the CRSP. In addition, the CRSP had to include language designed to protect Rainbow Bridge *and* to protect any other national parks or monuments from Reclamation projects. The Bureau of Reclamation accepted the offer. Congress fast-tracked the legislation and a bill that included all the necessary protective language was approved on March 28, 1956. Two weeks later, on April 11, President Dwight D. Eisenhower signed the CRSP into law. Construction on Glen Canyon Dam began October 15, 1956. [269]

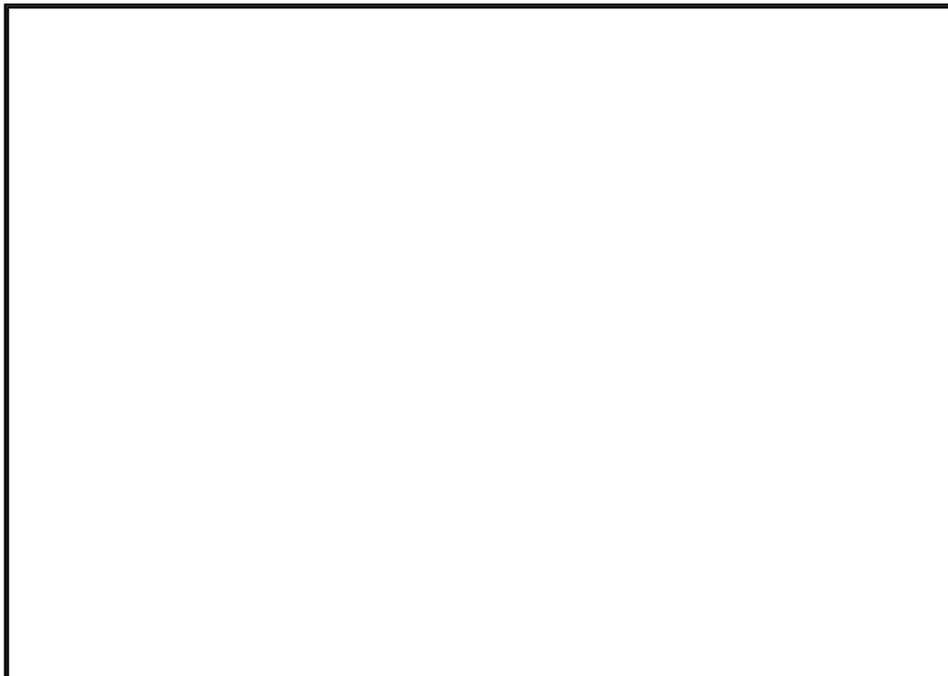




Figure 26 Glen Canyon, 1909 (Julius F. Stone Collection, NAU.PH.97.34.152, Cline Library, Northern Arizona University)

The legislation that authorized Glen Canyon Dam was specific regarding both Rainbow Bridge and the national park system at large. The last line of Section 1 of the CRSP assured "as part of the construction, operation, and maintenance of the Glen Canyon unit the Secretary of the Interior shall take adequate protective measures to preclude impairment of the Rainbow Bridge National Monument." [270] Section 3 stated "it is the intention of Congress that no dam or reservoir constructed under the authorization of this Act shall be within any national park or monument." [271] In theory, these stipulations were as clear as they could be. The provisos were specifically included to assuage the fears of environmentalists and to guarantee that a battle like the one fought over Echo Park would never be fought again. In practice, however, this was not what happened.

Controversy over Rainbow Bridge and the effect of Glen Canyon Dam on the monument erupted even before the CRSP legislation was authorized. The National Parks Association took the stand that the Park Service and the Bureau of Reclamation had not considered all the threats to Rainbow Bridge. Protective structures, such as a barrier dam, built north of the bridge in Bridge Creek, would only keep water from coming up the canyon to the bridge. What about the water coming down the canyon that would back up behind the barrier dam? In response to such criticisms, Reclamation and NPS planners explored provisions for pumping apparatus to be installed at the barrier dam. [272] Critics also charged that other impacts were not addressed at any of the Congressional hearings, such as the effects of building protective measures on the surrounding landscape. There were no roads to any of the possible barrier dam sites, and every site required a dam at least 150 feet high and 100 feet in span. While these were only small projects in comparison to Glen Canyon Dam, the relative effect of a "small" dam on the fragile sandstone ecosystem of Bridge Creek could be enormous. In July 1955, NPS Director Conrad Wirth received a letter from Acting Regional Director Hugh Miller detailing the possible effects of building various protective measures at Rainbow Bridge. In the margins of the letter, Wirth made a handwritten notation of his feelings about the proposal: "What an unholy mess they are going to make of a once wonderful national monument." [273] The problem of protecting Rainbow Bridge was expanding even as President Eisenhower signed the CRSP into law.

Over the next three years the Park Service worked closely with Reclamation and U.S.G.S. personnel on substantive plans and cost estimates for the protective works which Reclamation was required to construct. While high-ranking members of NPS were politically hamstrung in any effort to stop construction of the dam, they did actively pursue planning for protective measures. The documentary evidence between 1956 and 1959 indicates that during this period Park Service personnel at every level were in nearly constant contact with counterparts at the Bureau of Reclamation. Together they explored numerous plans, alternatives, and technologies that would allow Rainbow Bridge to remain untouched by Lake Powell. All this effort was in preparation of some kind of finalized report on how the agencies involved could best protect the bridge.





Figure 27 Proposed Sites For Protective Measures (Courtesy of Glen Canyon NRA, Interpretation Files. Photo by A.E. Turner)

In August 1959, the Bureau of Reclamation finished its report on the alternatives for protective works at Rainbow Bridge. Four separate sites were examined for a barrier dam on the southern side of the monument. A year of research and cost analysis produced a nearly predictable conclusion: all four of the prospective sites were imperfect at best. In the 1955 hearings before Congress, the Bureau of Reclamation's E.O. Larsen estimated that a barrier dam and diversion tunnel might cost between \$2,000,000 and \$4,000,000. The 1959 report estimated the least expensive of the four sites at \$15,000,000. Anxieties over access to the protective works were also an issue in the report. The report concluded that fifty to eighty miles of roads would have to be constructed. The only consensus in the report concerned the minimum number and type of works necessary to protect the bridge: a barrier dam with pumping facilities at the north end of Bridge Creek; a diversion dam at the south end of Bridge Creek; and a diversion tunnel twenty-one feet in diameter and

4,800 feet long. [274] There was no easy method of complying with Sections 1 and 3 of the CRSP.

Forces on both sides of the debate rallied after the report was published. By the end of 1959, attitudes were changing regarding protecting Rainbow Bridge. Given the realities of difficult access and high expense, the prospect of preventing Lake Powell from entering the monument was no longer very appealing. Even federal officials followed this new line in their intention not to protect Rainbow Bridge. In an October 1959 newspaper article, Floyd Dominy, Commissioner of the Bureau of Reclamation, stated that Rainbow Bridge would be more aesthetically appealing with water under it. In the same article, Colorado Senator Wayne Aspinall questioned whether or not the cost of saving Rainbow Bridge was in the nation's interest. Texas Representative Walter Rodgers said flatly, "the money could be much better spent for other things." [275] On March 9, 1960, Representative John P. Saylor, a member of the House Appropriations Committee, telephoned David Brower with some disturbing news. The Committee had reached a consensus that protective measures were unnecessary for Rainbow Bridge. Despite the concerns of Secretary of the Interior Fred A. Seaton regarding the CRSP's legal imperative to protect the bridge, the Committee felt protecting Rainbow Bridge "was unnecessary." [276]

The Senate was also less than sympathetic to the deal struck between Reclamation and environmentalists. In May 1960, Senator Frank E. Moss (D-UT) introduced a bill to amend the CRSP and remove its protective language. The bill, S. 3180, would have changed the Section 1 phrase "any impairment" to "any structural impairment;" additionally, it would have amended the Section 3 phrase "any dam or reservoir" to "any dam." [277] The bill's intent was to release the Secretary of the Interior from the legislative obligation to protect the bridge. Moss testified before the Senate Appropriations Committee in May 1960 that no threat to Rainbow Bridge existed. He argued that simple math dictated the waters behind Glen Canyon Dam would never reach the bridge and even if they did, nothing would happen. [278] Environmentalists were sure that if the bill made it into law, they would have to fight the Echo Park battle all over again. Without the protective language regarding Rainbow Bridge, any national monument or park was subject to resource development. Although S. 3180 did not make it out of the Senate, one thing was clear: the concept of what constituted "impairment" was at issue.

Through all these disputes regarding the protective clauses of the CRSP, the Park Service remained a loyal supporter of building protective measures and following Congress's intent as defined in Section 3. But in August 1960, the Park Service and environmentalists lost an important ally in the fight to protect Rainbow Bridge. In a letter to Wayne Aspinall, Stuart Udall, then a Congressman, urged that doing nothing at Rainbow Bridge was the most ethical course of action. In his capacity as a member of the House Committee on Interior and Insular Affairs, Udall was in an influential position regarding the decision to fund protective measures. He had long been in the forefront of the contemporary conservation movement. But since there was absolutely no hope that the Bureau of Reclamation would abandon the Glen Canyon project or modify its proposed location, Udall reasoned that trying to protect the bridge violated one of the cardinal principles of conservation: destroying more to save less. He wrote to Aspinall:

As I conceive it, from my study of the history of conservation in America, the one overriding principle of the conservation movement is that no works of man (save the bare minimum) should intrude into the wonder places of the National Park System. A corollary of this principle is that even the waters of a man-made lake or reservoir constitute an unwarranted

Park invasion. Therefore, as I see it, building either of the two proposed dams near the artificial "boundaries" of the Monument would sacrifice the cardinal principal in order to save its corollary. [279]

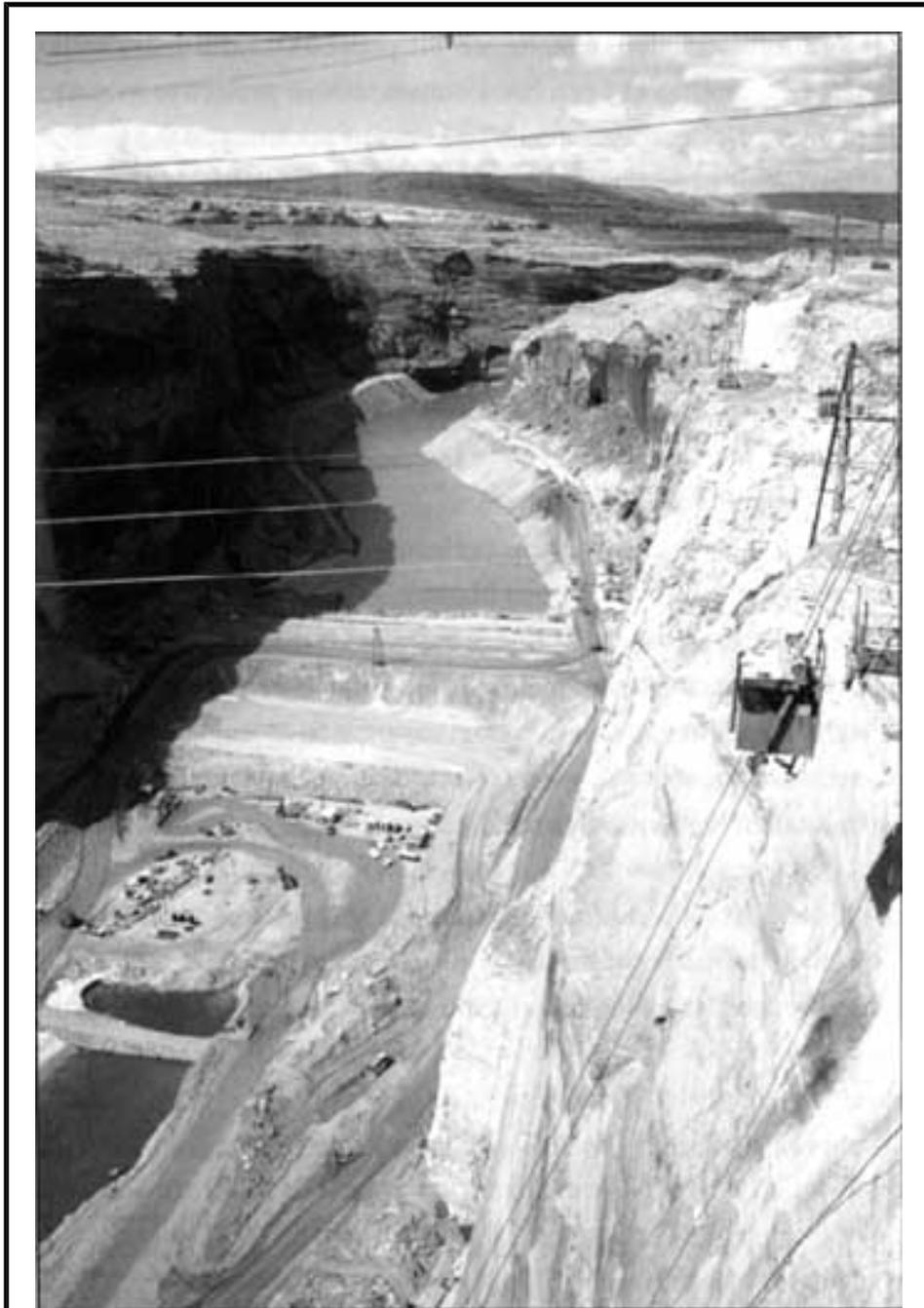


Figure 28 Glen Canyon Dam under construction (Bill Belknap Collection, NAU.PH.96.4.210.4, Cline Library, Northern Arizona University)

Eventually Udall had to make some difficult decisions regarding Rainbow Bridge. Appointed Secretary of the Interior by President John F. Kennedy in 1961, Udall inherited the CRSP and all its associated political baggage. Udall was immediately placed in the awkward position of balancing highly competitive interests

between the Bureau of Reclamation and the National Park Service. The Department of the Interior was supposed to represent the philosophies of all its subordinate agencies. But in the case of Rainbow Bridge, there was little room for policy compromise. The simple fact was that Section 1 of the CRSP left to the Secretary of the Interior the decision over what constituted "adequate protective measures" at the bridge. No standard had been established to gauge how far the Secretary needed to go in protecting Rainbow Bridge. As he had expressed in part of his letter to Aspinall in 1960, Udall reasoned that he could interpret the intent of Section 1 of the CRSP to mean doing nothing was the best alternative. Even certain members of the Park Service, such as Regional Director Jerome Miller, were advising Director Wirth that the impacts from building access roads and constructing protective measures might be more deleterious to Rainbow Bridge ecosystem than water from Lake Powell. [280] Secretary Udall understood that Rainbow Bridge NM, at only 160 acres, was not large enough to warrant national park status and any plan to increase the monument's boundaries would include complex and difficult negotiations with the Navajo Nation. Barring park status, the fight with Congress for funds to protect the bridge was a losing battle.

Ultimately, Congress removed from Secretary Udall's hands the decision over whether or not to protect the bridge. In 1961, Congress revealed it had no intention of funding the protective measures stipulated in the CRSP. In March 1961, Senator Wallace F. Bennet (R-UT) introduced another bill designed to strip the CRSP of its teeth. S. 1188 mimicked the language of the infamous Moss bill. At the same time, Moss introduced his bill again, this time as S. 175. [281] While these two measures failed, Congressional appropriations committees knew how to block the protection of Rainbow Bridge: they simply refused funding in Reclamation and Park Service appropriations acts. In fact, Department of the Interior budgets in 1960, 1961, and 1962 were approved by Congress only after the addition of a line item that specifically denied funding of protective measures. [282] As a result of the appropriations process, as well as the continued legislative efforts to rewrite the CRSP in the Senate, the Department of the Interior did not include any requests for funds for protective measures in its 1963 budget proposal. [283] Without changing a single word in the CRSP, Congress made protecting Rainbow Bridge a moot issue with respect to completing Glen Canyon Dam. After 1962, the Secretary of Interior was no longer in a position to actively pursue protecting Rainbow Bridge; however, environmental groups were not ready to abandon the fight. Brower and Packard lobbied everyone they could think of to compel federal officials to honor the protective terms of the CRSP. Brower believed that Congress and the Secretary of the Interior would never skate past the legal imperative of protection. To Brower, not protecting Rainbow Bridge was the same thing as wantonly breaking the law. Until 1960, Secretary Seaton was sending Brower all the right messages: while Congress was defunding protective measures, the Department of the Interior announced it would lobby Congress for funds at Rainbow Bridge. In early 1960, Seaton penned a personal note to Brower at the bottom of a press release that said, "let me assure you that it is my firm policy, as well as that of all personnel of my department, that any actions or activities of this Department will be in conformance with existing law." [284] Commissioner Dominy even wrote to Senator Bennett in 1961 to assure the Senator that Reclamation could build the protective measures for under \$8,000,000 "as soon as the Congress appropriates the funds." [285] Brower was understandably panicked at being told everyone supported protecting Rainbow Bridge while watching Congress refuse funding year after year.

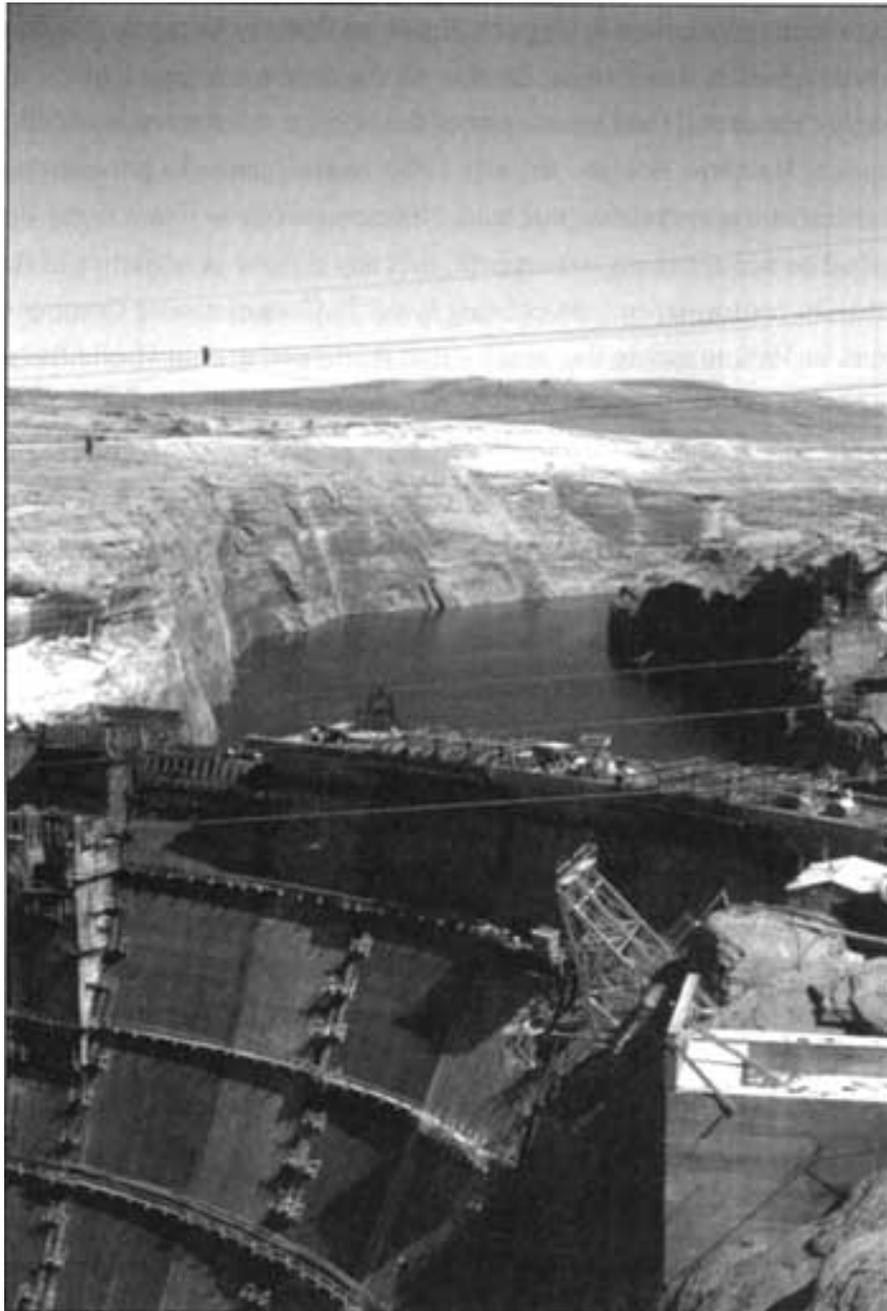


Figure 29 Glen Canyon Dam, June 1963 (Woodrow Reiff Collection, NAU.PH.99.5.149, Cline Library, Northern Arizona University)

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Rainbow Bridge

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CHAPTER 7:

The Modern Monument: Managing Rainbow Bridge, 1955-1993 (continued)

As relations with the Navajo Nation warmed throughout the 1980s, the Park Service began considering a large-scale management plan for the monument. Visitation as a result of improved monument access via the Lake Powell corridor increased exponentially in the 1980s. In 1979 the Park Service tallied 97,066 monument visitors. By 1985 that number increased to 177,971 visitors. The Park Service knew that a General Management Plan (GMP) was the next logical step in the administrative and development planning of the monument. The GMP was in regular use at other units of the national park system. It was a relatively standardized document that made use of local resources and perspectives in pursuit of a cogent management plan. In the case of Rainbow Bridge, special concern had to be paid to the Native American interests in the region as well as the special visitation problems presented by the limited geographic access vis-a-vis Bridge Canyon. Developing a modern general management plan (GMP) for Rainbow Bridge meant including cultural, natural, and human resources that were unused previously. One of the most significant considerations for Park Service personnel was including the viewpoints of local Navajos and Paiutes in the GMP's development. Interviews with Tribal members began in 1988. At the same time, interviews were undertaken by Pauline Wilson, American Indian Liaison for Glen Canyon NRA, to determine the scope of Navajo religious affinity at Rainbow Bridge. In 1989 the Park Service solicited public opinion at large, generating a questionnaire for visitors to the bridge and establishing a comment register where people could relate their views on improving and managing the monument. In 1989 visitation to the monument reached 238,307. The Park Service knew that it could not keep pace with growing visitor needs and demands without a comprehensive management strategy. [\[338\]](#)

In 1990, Glen Canyon NRA personnel, under the direction of Pauline Wilson, Environmental Specialist Jim Holland, and Public Affairs Officer Karen Whitney, continued to conduct meetings at Navajo chapter houses to gauge Navajo opinion of the proposed GMP. Holland related at each of the meetings that the Park Service had a number of specific goals attached to the GMP: preserving Rainbow Bridge for future generations; identifying and protecting the cultural significance of the bridge to Navajo and other cultures; and maintaining a productive relationship with the Navajo Nation. It was obvious that the cultural imperatives born of the legislative and judicial events of the 1970s and 1980s were not lost on Park Service personnel at Rainbow Bridge. Despite the previous conflicts between the Park Service and the Navajo Nation, the Park Service was committed to improving that relationship via a culturally sensitive GMP for the bridge. By September 1990 the Park Service had created a Draft GMP that could be reviewed by the public. That review process began in earnest among the Navajo Nation in October 1990. [\[339\]](#)

The initial concerns for the GMP revolved around managing the growing population of visitors to the

bridge. Visitation had increased substantially every year since the availability of water access via Lake Powell. The effects of that increased visitation were obvious: graffiti, refuse, human waste, and off-trail damage were all evident. Phase I and Phase II initiatives in the draft GMP limited the number of people at one time (PAOT) at the bridge to about four hundred. The Park Service also proposed that NPS interpreters be on each tour boat headed to the bridge to provide information regarding the sensitivity of the bridge's ecosystem and the need to protect both natural and cultural resources. The draft GMP also advocated a seasonal contact station in Forbidding Canyon to collect entrance fees and regulate traffic to the bridge, interpreters at the bridge, and other contact stations. The plan's intent was to protect the area's diverse resources through increased contact with visitors. While no regulation prohibiting physical access to the bridge was proposed, the hope was that visitors would voluntarily comply with protective goals if a proper level of information was made available. The Park Service, in subsequent drafts of the GMP, never advocated statutory enforcement of provisions to prevent visitors from approaching the bridge. [340]

The idea of limiting numeric access to sensitive areas was not new in the Park Service or within the national park system. Zion National Park in Utah had been limiting the number of hikers in The Narrows section of the park to 70 people per day since approximately 1988. [341] The reasons at Zion were echoed at Rainbow Bridge limitations were necessary for both public safety and resource protection. Regardless of the cultural implications to a given group, the Park Service had always made preservation one of its top priorities in sensitive areas. The draft GMP also advocated a permit and fee scenario for bridge visitors, much like other parks and monuments had in place for their more delicate zones. Needless to say, the draft GMP ignited a controversy. Navajos wanted unfettered and non-permitted access based on their long-held religious beliefs about the bridge. The public comments were divided. Some respondents favored no controls of any kind, while some favored even stricter controls on access to the bridge. A few wondered why the Park Service was involved in any way at Rainbow Bridge. The Park Service, via Pauline Wilson, solicited local Navajo input on the GMP through 1992. [342]

In 1993, after soliciting extensive public opinion, the Park Service produced a final draft of the General Management Plan. The final GMP included plans covering development concepts and resource management, an interpretive prospectus, and an environmental assessment. It was the most comprehensive look at managing Rainbow Bridge NM ever produced by the Park Service. It was an extremely timely document. With most of the litigation concerning the bridge behind it, the Park Service could focus on tangible management problems such as graffiti, boat traffic in Bridge Canyon, waste disposal, and foot traffic at and under the bridge. Many of these concerns reached their apex by 1993, as visitation to the Bridge exceeded 250,000 the prior year. The GMP zeroed in on the most pressing concerns at the monument: carrying capacity, resource management (cultural and natural), and use definition. [343]

One of the more controversial elements of the GMP was its determinations on carrying capacity. There really had not been any limits to visitation before the 1990s. While certain references in various Park Service memoranda indicate that the Park Service hoped visitation and impacts could be limited, little administrative action was taken prior to formulating a GMP. Based on a survey of the resources at Bridge Canyon and the canyon dock facility, the GMP determined the maximum PAOT should not exceed three hundred and ninety. The plan also called for a fee for access to the monument. The carrying capacity was to be evenly divided between private boats and tour boats. The contact station also provided for concerns about human waste, trash, and prevention of unacceptable activity at the bridge via Park Service enforcement. One of the

most revolutionary ideas in the GMP, designed to mitigate individual impact on the monument, involved transferring private individuals from their boats to Park Service boats to ferry those individuals to the bridge. No boat traffic would be allowed past the contact station unless there was room at the monument. Using Park Service-operated transportation would have been unique at Rainbow Bridge but is now employed in numerous units of the national park system including Zion and Yosemite. Ultimately the desire of the Park Service to regulate access to Bridge Canyon took the form of employing concessionaire tour boats and limits on their maximum passenger allowances. But the GMP did represent the Park Service's desire for hands-on management at Rainbow Bridge. [344] Employing the carrying capacity formula proposed by the GMP, Rainbow Bridge could be seen by more people with less trouble and more control.

In terms of handling cultural resource issues, the GMP was not the only tool in use in the early 1990s. In addition to soliciting public and Native American opinion of the GMP, the Park Service's Resource Management Division at Glen Canyon entered into a cooperative agreement with Northern Arizona University (NAU) to study the ethnography of the Rainbow Bridge region. In 1991, Dr. Robert T. Trotter, II was assigned as principal investigator for the project with Neita V. Carr acting as the primary researcher and writer. The study was designed to provide a general overview of contemporary Native Americans who were associated with Glen Canyon and Rainbow Bridge and to define the cultural and natural resources under Park Service management that those tribes valued and used. Carr and Trotter generated a basic summary of the use patterns and affiliations of both Hopi and Navajos at Rainbow Bridge. That information is presented in greater detail in Chapters 2 and 5 of this administrative history.

What the ethnographic overview and assessment did confirm was the desire of the tribes to be more directly involved in the decision-making process at Rainbow Bridge. Every tribe that expressed cultural and historical affiliation with the bridge and its environs also indicated that their interests should be part of the criteria that underpinned management at the bridge. The ethnographic overview was a big step toward realizing comprehensive management at the monument. That goal was broadly defined in the Cultural Resources Management Technical Supplement, published by the Park Service, in August 1985. The summary of Carr and Trotter's report was that the Park Service needed to continue its efforts at ethnographic study and expand them to include other Native American groups, such as the San Juan Southern Paiute and Hopi Tribe. The report made general recommendations toward field studies, resource analysis, and the creation of a large-scale ethnographic data base that would be available to Park Service personnel for help in decisions that might affect affiliated tribes. Carr and Trotter observed, "it is clear from the literature search and our cultural consultation that multiple field studies are both desirable and necessary to create [an] appropriate data base and to provide a stable condition for relations with [Glen Canyon] and [Rainbow Bridge] associated peoples." In various forms, these suggestions were followed by the Park Service. The ethnographic overview, completed in March 1992, was definitely an influence on the final draft of General Management Plan, the creation of a Native American Consultation Committee, and eventually the Comprehensive Interpretive Plan. [345]

The public comment period for the GMP continued through 1992, with revised drafts being made available to Navajo, Hopi, and Paiute Tribal representatives. Pauline Wilson continued to take drafts to the Navajo and Paiute chapter houses for public comment and the results of the NAU ethnographic study were used to modify the parameters of interpretation toward maximum sensitivity to all affiliated Native Americans. The Park Service generated the final draft of the GMP in June 1993. It reflected much of the public comment that was gathered by the Park Service during the previous three years. In terms of the issue of carrying capacity,

the final plan was radically different from its various drafts. It called for a maximum of 200 PAOT, with 150 allotted to tour boats and the remaining 50 to private boats. The docks would be reduced in length to accommodate the modified carrying capacity and a ranger would staff the exit point on the docks to ensure compliance with the carrying capacity limits. While this did not sit well with ARAMARK, the Lake Powell concessioner, the plan's focus was minimizing impact rather than maximizing revenue. Because of increased visitation over the years, the environs of Rainbow Bridge suffered a severe toll; the Park Service was dedicated to restoring the monument as much as was feasible. [346]

Protection of natural resources and processes in the monument was also a focus of the final GMP. Tamarisk, an exotic and non-native tree species, had been spreading rapidly near the bridge. It was long considered a threat to surrounding vegetation and to developing riparian communities. The GMP authorized the removal of tamarisk from the viewing area and near the bridge. Off-trail travel was forbidden in the new management strategy. The amount of cryptogamic soil damage was hard to measure, but it was extensive. The GMP also called for revegetation of impacted plant species and discouraging visitation beyond the assigned viewing area. Cultural resources also formed the object of intense management in the final GMP. Restricting certain access to the bridge in the form of petroglyph and archeological site protection was to be accomplished through increased Park Service presence and mandated trail boundaries. While nothing in the GMP provided for restricting access to the bridge (there were no mandates to stop visitors from approaching or walking under the bridge), the plan did seek to "discourage" visitor use below the bridge. The effects of these decisions would be monitored through visitor-use surveys and Park Service/visitor contact. It should be made clear, however, that the GMP never advocated that visitors be prevented in any way from approaching or going under the bridge. [347]

The GMP also contained a fifteen-page interpretive plan. Based on research done by NAU and the collective response from Anglo and Native American groups over the significance of the bridge, the Park Service developed an interpretive framework to facilitate and enhance the visitor experience at the bridge. The GMP made its purpose plain, stating, "the significance of Rainbow Bridge lies not only in its geological character, but in its power to move and inspire the human soul. For Navajo, Hopi, and other native peoples it is part of who they are and what they consider sacred and meaningful in this life." [348] The GMP acknowledged that the bridge occupies esoteric importance to other worldviews. In order to be fair to those peoples with a worldview that was not Anglo, the GMP advocated administering the monument in such a way that both worldviews were represented. In essence, the GMP took a non-Anglocentric vector and suggested that the Anglo interpretation of the history of the bridge was not the only acceptable interpretation but rather one of many. It is important to remember that this portion of the GMP was generated in a spirit of cooperation and diversity and not as a result of harassment or litigation. When all was said and done the Park Service recognized its responsibility to incorporate alternative worldviews into the Rainbow Bridge interpretive experience.

The interpretive goals for the monument were categorized around multiple resources. The GMP recognized the importance of prehistoric, historic, ethnographic, and natural resources. Since the monument barely measured 160 acres and visitation was averaging over 250,000 people per annum, the Park Service realized it had to act aggressively to preserve the resources at Rainbow Bridge. Native American groups were to be utilized in a consultation capacity regarding information that should be passed on to visitors (in the form of Native American historical beliefs about the bridge) and regarding the appropriate level of contact between

visitors and the bridge itself. The Park Service did not advocate that its personnel prevent visitors from approaching the bridge; rather, rangers and interpreters sought visitors' voluntary deference to Native American requests that the bridge remain free from direct human contact. In July 2000, Stephanie Dubois, Chief of Interpretation for Glen Canyon NRA, stated in an interview that no visitor had ever been cited for approaching the bridge on designated trails or for walking beneath the bridge. Chief Dubois also indicated that there was no Service policy to prevent or dissuade any visitor from approaching the bridge once the visitor has made the decision to leave the congregating area. Visitors are only cited if they violate the published restrictions on activities related to swimming, fishing, or entering closed or revegetating areas. [349] The interpretive outline of the GMP recognized the potential for conflict with Anglo belief systems, stating that there would be "other concerns that will surface, which affect interpretation at the monument. To be sensitive to the values and experiences of other people, to bridge the cultural gap, will be the challenge to interpretive managers." [350] Indeed, this is still the goal of managers in the 21st century.

The GMP settled on five major interpretive themes: that geological processes formed Rainbow Bridge; that Rainbow Bridge is part of the greater Colorado Plateau ecosystem; that people interacted with the bridge in prehistoric times; that people interacted with the bridge in historic times; and, that people continue to impact the monument. The Park Service made each of these themes a part of the interpretive goal for each Park Service interpreter working in and around the monument. The GMP also recommended that Park Service interpreters be part of each ARAMARK boat tour entering the monument, ensuring a maximum level of Park Service/visitor contact. [351] The GMP also called for interpreters to be stationed on a rotating basis at the monument to greet visitors and help enhance the Rainbow Bridge experience. No single cultural viewpoint was ever emphasized over the other defined thematic goals; rather, the cultural significance of the bridge to both Anglos and Native Americans was added to the larger interpretive matrix. Signs, exhibits, Park Service interpreters, revised access restrictions based on environmental concerns, and updated brochures all formed the core of making the interpretive experience both comprehensive and widespread. [352]

The signage that was part of the GMP wayside exhibit plan was to become one of the more contentious issues at Rainbow Bridge in 1990s. Signs seem to have taken on a peculiar significance to Americans, especially those signs that concerned religion or spirituality. The GMP allowed for one sign to be placed near the congregating area, which tried to inform the public that Rainbow Bridge was considered sacred to Navajos and other Native Americans. The wording of the sign was a major concern to the Park Service. But the GMP-authorized sign was not the first to define Rainbow Bridge's place in Native American spirituality. Located in the interpretation archives at Glen Canyon NRA headquarters is a photograph of a sign that was in place at Rainbow Bridge in the late 1980s. The sign read:

There are places mentioned in Navajo legends which are said to be sacred. Rainbow Bridge is one thought to possess supernatural powers.

According to one Navajo legend, the Diné (Navajo People) once believed that harm would befall anyone who walked beneath Rainbow Bridge without first chanting a prayer of protection. Over the years the prayer was forgotten and the Diné would no longer enter the area.

Today you are about to approach this special place. Do so with reverence, for it is said:
"Those who pause to rest within the shadow of the bridge will leave their troubles behind."

Investigation by Park Service personnel at the Harpers Ferry Center in West Virginia produced no clues as to the sign's origin. The Wayside Exhibits division at Harpers Ferry Center only had record of two signs constructed for Rainbow Bridge NM. Those signs dealt with the "discovery" of the bridge and the geologic formation of the bridge. Presumably this sign was placed at the bridge on the heels of the 1980 *Badoni* decision and the passage of the American Indian Religious Freedom Act in 1978. The signs may also have been placed after the Department of the Interior released the Native American Relationships Policy in February 1982. [353] Regardless, the mood of both the Park Service and public between 1980 and 1993 was one of conciliation. The reaction of the public and the Park Service to renewed Native American concerns over appropriate use and interpretation of Rainbow Bridge after 1995 is the subject of Chapter 8.

The GMP represented the culmination of the Park Service's efforts toward effective management of the monument. After lengthy solicitation of numerous opinions and viewpoints, the Park Service produced a plan that would manage the monument in terms of resources rather than profits. The Park Service's decision to limit ARAMARK's tour boat access to 150 PAOT, instead of 150 people per boat as ARAMARK wanted, was a testament to the Park Service's ability to manage beyond the traditional scope of visitor demands. Ensuring the longevity of Rainbow Bridge and its environs for as many generations of visitors as possible was the mission of the new GMP and the Park Service after 1993. Undoubtedly the Park Service would not escape criticism. Anglo proponents for unrestricted and secular access to Rainbow Bridge would criticize the Park Service for its cultural sensitivity. Certain Native Americans favored days dedicated to segregated Indian access to the bridge and so would criticize the Park Service and the GMP for not going far enough. Regardless, the period between 1955 and 1993 was one of major growth for the Park Service at Rainbow Bridge. The staff had managed the monument through national swings in political mood, through the Colorado River Storage Project and the creation of Lake Powell, and took ever more aggressive management action as visitation increased from 1,081 in 1955 to 256,158 in 1992. Keeping pace with these changes was not an easy task. The Park Service approach to managing Rainbow Bridge NM, as described in Chapter 8, was one of flexibility and willingness coupled with a firm commitment to managing the monument in terms of resource protection versus income maximization.

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CHAPTER 7:

The Modern Monument: Managing Rainbow Bridge, 1955-1993 (continued)

The major issue by 1966 concerned shoreline development and facilities on Aztec Creek, located one mile downstream from Rainbow Bridge. The Park Service and the Nation were trying to negotiate a land swap that granted the Park Service access to the shore along Aztec Creek in exchange for Tribal rights at Echo Camp, located just south of the Bridge. The basis for Tribal approval of facilities at Aztec Creek was in the elevation language of Public Law 85-868, as mentioned previously. Based on this law, all lands above 3,720 feet could only be developed by the Park Service with the Nation's approval. But the Park Service determined that the water level at the mouth of Aztec Creek lay below the stipulated elevation requirements. Also, the Park Service did not intend for the floating facilities to be available for use by the general public. Based on this assessment, the Park Service had installed a small floating dock facility in August of 1965. This fact did not meet with the Nation's approval. To let the Park Service know it was serious about reserving access, the Navajo Nation issued a business permit to Harold Drake that allowed Drake to develop concessions at Echo Camp. The permit was issued before any MOA was completed. In addition, the Nation solicited development support from Standard Oil Company to help develop concessions facilities at Padre Point. The latter event involved lands that were below the 3,720 foot level reserved to Park Service control in Public Law 85-868. Given Standard Oil's interest in Tribal concessions, the Nation was anxious to complete a MOA. As a result of these events, a large scale meeting was scheduled between the Park Service and the Nation to work out as many details as possible toward competing an MOA. [322]

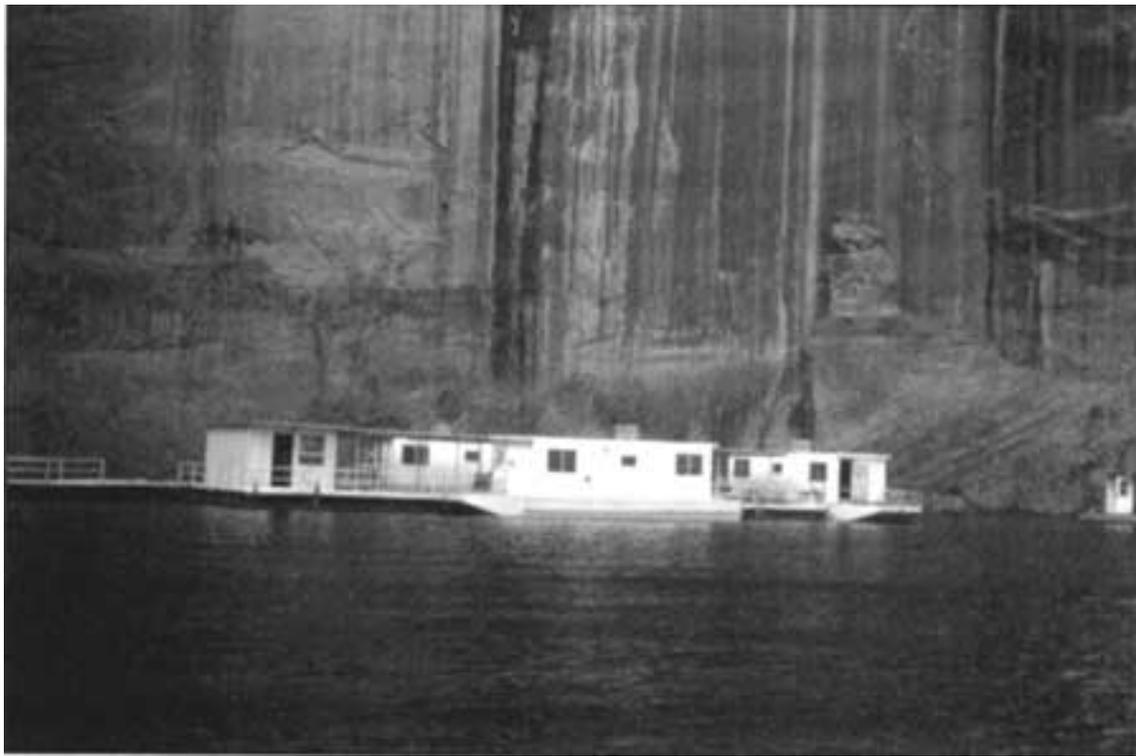


Figure 33 Rainbow Bridge marina, 1965 (Woodrow Reiff Collection, NAU. PH.99.5.177, Cline Library, Northern Arizona University)

The conference was held at the Tribal headquarters at Window Rock, Arizona on January 26, 1966. Tribal representatives included Frank Carson, director of the Nation's Parks, Tourism, and Recreation Development council; Bill Lovell, Navajo Tribal attorney; and, Edward Plumber, Sam Day III, and Roger David, members of the Navajo Tribal Council. The Bureau of Indian Affairs sent seven regional representatives. The Park Service was also represented in force: Norman Herkenham and Joe Carithers from the Santa Fe Regional Headquarters; Superintendent Gustav W. Muehlenhaupt and Lyle Jamison from Glen Canyon NRA; Superintendent Meredith Guillet from Canyon de Chelly; and Superintendent Jack Williams from Navajo NM. The conference had an extensive agenda, but the majority of the issues revolved around Park Service plans to develop facilities near Rainbow Bridge and Tribal demands on access to Lake Powell's south shore. In addition to land issues at Rainbow Bridge, the Park Service and the Nation tried to work out details concerning a proposed land expansion at Navajo NM.

The conference did not go as the Park Service anticipated. Based on the stipulations of the 1958 Act, the Nation felt that the Park Service was trespassing on Tribal lands at Aztec Creek, given that the Park Service did not solicit Tribal approval to construct floating docks. The Park Service responded that this was the purpose of completing a Memorandum of Agreement to retroactively obtain Tribal approval for necessary facilities. The Nation was willing to grant such approval but only if the Park Service agreed to grant exclusive concessions rights to the Nation at those facilities. Regarding the land exchange for Navajo NM, the Nation felt betrayed when it was informed that they would have to pay rent to operate a Navajo crafts concession at the new Betat' akin visitor's center. Tribal representatives said they had been assured that no such rent would be required. The Park Service maintained that this was always couched in terms of the Nation granting approval of the desired land expansion at Navajo NM. Tribal attorney Bill Lovell

maintained an extremely diplomatic tone during the course of the heated negotiations, according to Park Service reports. Norman Herkenham said that it was Lovell's commitment to productive negotiations that prevented the conference from breaking down completely. The conference ended with both the Park Service and the Nation committed to finding mutually acceptable solutions to the issues that concerned Rainbow Bridge. During the conference, Frank Carson solicited Park Service assistance with developing his Parks and Tourism department, asking for information on Park Service boating regulations, concessioner rate schedules, and examples of concessions prospectus. Carson felt that, overall, the Nation still possessed an enormous commercial opportunity at Lake Powell and Rainbow Bridge even in the penumbra of Park Service regulations. [323]

Based on the reasonable progress made at the January conference, the Nation scheduled another meeting for March of 1966. The Park Service knew that the issue of "trespass" at Aztec Creek would figure heavily in the March meeting. Prior to the meeting, Norman Herkenham obtained the opinion of Park Service Field Solicitor Gayle Manges regarding the Park Service's interpretation of the 1958 Act. The issue was more complicated than anyone anticipated. Manges argued that based on court precedents, the waters of Lake Powell and the Colorado River were "navigable [waters] in fact" which made them "navigable in law." [324] Because the floating facilities at Aztec Creek were not permanently moored to the shore or the land below the water, those facilities were subject to the laws governing navigable waters of the United States and therefore exempt from any Tribal jurisdiction. Manges wrote:

As the Tribe is vested with only a right to approve recreation facilities built on the surface estate, either upland or lake-bed, it has no possession or title to support an action for trespass for use by the public of navigable waters over Parcel "B". It is my opinion that the United States need not obtain the permission of the Tribe in order to either locate a free-floating dock or other vessel on the navigable waters above Parcel "B" on lands in Lake Powell. [325]

The March conference produced another draft of the MOA, with most of the Nation's previous concerns over Aztec Creek still extant and unaddressed. Between 1966 and 1967, Park Service relations with the Navajo Nation deteriorated to an all time low. A series of Tribal elections in 1966 did not help matters, as the Park Service observed that the emerging Tribal Council was extremely factionalized. Most of the newer council members were very much in favor of maintaining the Nation's positions concerning concessions at Lake Powell. The Nation was distressed over the Park Service's apparent uncompromising attitude concerning Aztec Creek and Navajo NM. The Park Service was aware of the poor state of affairs and in response, assigned Superintendent John Cook at Canyon de Chelly the duties of Navajo Affairs Coordinator. The Coordinator's goal was to improve relations with the Nation and help solve the problems that plagued the MOA. [326]

By March of 1967 the Park Service was negotiating from a poor position. Various attempts to solidify an MOA were met with Tribal charges of deception and fraud. The Park Service started to reconsider its need for adding any land to Rainbow Bridge NM, maintaining the simple desire for Tribal approval of public access via Aztec Creek's floating facilities. Cook, also appointed as the Navajo Affairs Coordinator, advocated a non-aggressive posture toward the Navajo Nation. Writing to the Director, Cook said "we are going to clean our own house, stick to our word and proceed in a more professional manner utilizing our knowledge of Navajo thinking." [327] This perspective represented a genuine effort by the Park Service to

negotiate with the Nation on a more qualitatively equal plane.

In this new spirit, another meeting took place between legal representatives of the Nation and Park Service Regional Director Daniel Beard. After the meeting, during which another draft of the MOA was presented and discussed, Tribal Council Chairman Raymond Nakai wrote to Beard requesting Park Service assistance in helping the Nation generate a total development plan for the Nation's shoreline interests at Lake Powell. Beard responded enthusiastically, pledging the complete support of the Park Service and its resources. [328] This spirit of cooperation continued throughout 1967. The Nation focused on two issues of concern in the next draft of the MOA. In that May 1967 draft, the Nation eliminated the Park Service's requirement that any Tribal road or facility construction be pre-approved by the Park Service. The Nation also granted itself easements that would allow Navajo-controlled floating structures along the south shore of Lake Powell. In addition, the Tribal draft proposed exclusive concessions rights along all shoreline that abutted the Navajo reservation. As a conciliatory gesture, the draft contained language that granted approval to floating facilities at Aztec Creek. The Nation only required that the Park Service give due consideration to a proposal that the Nation operate the facility on a permanent basis at some point in the future. [329]

The Park Service responded that it could not guarantee approval of a plan to transfer control to the Nation, especially if such pre-approval was a prerequisite for completing the MOA. Director George B. Hartzog offered to remove the floating facility from Aztec Creek if the Nation preferred. In a letter to Nakai, Hartzog reminded the Nation that the Park Service was in the process of generating a massive development plan for the Nation that included plans for Tribal floating facilities at Padre Point. At the same time that the Director was buffering the Park Service's position, Don Clark replaced Frank Carson as head of the Nation's Parks, Recreation, and Tourism Development Department. This was good news to the Park Service as Clark favored improved relations between the Park Service and the Navajo Nation. [330]

Under Clark's guidance, the Nation negotiated through 1968 from a different perspective, narrowing its demands at Aztec Creek and along the south shore. Late in 1968 Sam Day III replaced Clark. Day was even more commercially oriented than Clark. Under his guidance, the Tribal Council met in October 1968 at Window Rock with representatives of the Park Service, the Bureau of Indian Affairs, and the Bureau of Reclamation. The Window Rock conference produced a complete and mutually agreeable draft of the MOA. It was sent immediately to the Navajo Tribal Council for consideration. Unfortunately, Council Chairman Nakai rejected the draft out of hand and the council never got the chance to see it. Nakai contended that the agreement was not sufficiently favorable to the Nation and as such did not merit consideration. [331]

At another meeting in April of 1969 in the office of Regional Director Frank Kowski, Chairman Nakai and Tribal attorney William McPherson argued that the Nation should be guaranteed in the MOA the prospect of assuming control of all operations at the Aztec Creek floating facilities. Nakai also insisted that the Park Service guarantee south shore development funds for the Nation equivalent to those funds the Park Service already guaranteed to north shore development. These were two points that threatened to derail the entire MOA process that had gone on for over six years. The Park Service reacted with a touch of frustration. Kowski informed Nakai and McPherson that Navajo control of the floating facilities at Aztec Creek was not an option and non-negotiable. Under guidance from Director Hartzog, Kowski said that if an MOA was not completed soon, the Park Service would move the floating facility to another location and thereby end negotiations for a Memorandum of Agreement. The Nation, in true diplomatic fashion, responded by saying

that such a decision would be the Park Service's choice and not done at the request of the Navajo Nation. Representatives of the Nation and the Park Service met nearly every month throughout 1969 to clarify details of the MOA. The fact that the Nation was facing financial difficulties (Chairman Nakai told Kowski at a June meeting that the Nation could be "broke in six years") also heightened their commitment to the MOA and the tourism revenues it could ensure. [332]

The mood on both sides of the table softened during 1969. The Navajo Nation was more concerned with maintaining Park Service support of Navajo interests at Padre Point than Rainbow Bridge. The Nation also realized that it would benefit from Park Service development support and planning as public use at Lake Powell increased. Kowski spearheaded Park Service efforts to generate as much development funding as possible for the Navajo Nation, including grants for specific development at Padre Point. On December 2, 1969 the Navajo Tribal Council passed a resolution authorizing Chairman Nakai to negotiate and complete a Memorandum of Agreement regarding Glen Canyon NRA and contingent areas. The resolution invested unilateral authority in Nakai to complete and approve the MOA on behalf of the entire Navajo Nation. [333] The following year was dedicated to finalizing details of the agreement and assuring the Nation that the Park Service would support development plans along the south shore. In addition to developing an acceptable MOA the Park Service pursued cooperative training issues with the Nation in an attempt to train potential Navajo employees at Park Service facilities for employment at both Navajo and Park Service concessions. The good will that flowed between the Nation and the Park Service paid off when the Secretary of Interior signed a Memorandum of Agreement on September 11, 1970. The agreement was made none too soon as visitation reached 39,959 by the end of 1970. [334]

There were no surprises in the agreement. The Park Service agreed to help develop and manage any and all Navajo recreational facilities located at Lake Powell and on Navajo land. The agreement specifically excluded Rainbow Bridge and its floating facilities from Navajo control; however, the power of approval of any development plans for all other Parcel "B" lands above 3,720 feet remained with the Nation. All other Lake Powell development was subject to approval by the Park Service based on the overall development plan of Glen Canyon NRA. The same approval was required of any Navajo development plans for Parcel "B" lands below 3,720 feet. The Park Service also gave first-hire preference to Tribal members who applied for work at Glen Canyon NRA and offered to "encourage and assist members of the Tribe to qualify for positions" for which they may not have previously been qualified. This included specific training programs for positions in interpretation, conservation, fire protection, search and rescue, and historical programs, all designed to make Tribal applicants better candidates for federal employment. Pertaining to Rainbow Bridge, the Park Service agreed to pursue legislation that would transfer the annual concession franchise fee (normally paid to the Park Service) to the Nation in exchange for Tribal approval of existing floating facilities and the construction of any additional future facilities. [335]

The controversy of the 1970s was not limited to relations with the Navajo Nation. The 1970 Friends of the Earth lawsuit and the subsequent 1973 ruling in favor of the Park Service had real impacts on monument management. The Court's decision did not dispute the legal imperative to protect the bridge; rather, it confirmed the Secretary of the Interior's discretionary power to determine how that protection was executed. To help determine whether or not damage was being done to the bridge, the Tenth Circuit Court mandated that the Bureau of Reclamation monitor the effects of Lake Powell on the bridge for a period of ten years. The monitoring program commenced in 1974. The Bureau of Reclamation was extremely thorough in its

program. Every aspect of the bridge's behavior was monitored and analyzed. The program included surveys, photography, and geologic methods of a non destructive nature. The geologic methods included Whittemore strain gauges on the bridge's legs, measurement of Bridge Canyon's width, seismic monitoring, and laser measurement of bridge movement. The Bureau reported its findings at regular intervals and made copies of those findings available to the Park Service.

The monitoring program yielded some interesting results in the ten years it operated. The most amazing realization was that the original 1909 measurements taken by William B. Douglass were incorrect. Douglass measured the bridge's height at 309 feet and the width of the span at 278 feet. These figures were the official measurements since 1910. But Reclamation measurements, using slightly more sophisticated instruments, found the height to be only 291 feet and the span 275 feet. That the original measurements were so far from accurate was a surprise to the Bureau and the Park Service. The other result of the monitoring program that amazed everyone was the degree of regular motion exhibited by the bridge. The laser measurements revealed that the bridge could rise or fall as much as 0.38 inches from winter to summer. The Whittemore Strain Gauge recorded the displacement or movement of selected cracks as those cracks responded to the environment and stress in which they existed. Results from the Whittemore gauges revealed the same type of cyclical expansion and contraction patterns. Daily temperature changes, weather conditions, and exposure time to the sun all affected the behavior of various cracks in the same way the volumetric size and height of the bridge was affected. [336]

Whether or not the presence of water beneath the bridge contributed to the extent of this volumetric and crack variation was not part of the survey's conclusion. Whether or not moisture absorption or dehydration affected the extant structural fissures in the bridge could not be determined. Rock samples taken over the course of the program did not reveal any abnormal hydrologic effects. Thus, in 1985, the Bureau announced that Lake Powell was not contributing to any structural impairment of the bridge. Admittedly, it would have come as a major surprise if the Bureau had concluded any other way. Given the extremely short term (in geologic time) nature of the monitoring program, the Bureau's assessment was a forgone conclusion. But their efforts complied with the Court's mandate, and the bridge was found to be structurally sound.

In addition to the legal imperatives associated with managing the monument, tourism via Lake Powell began in earnest in the mid-1970s. After moving north and developing Wahweap Marina, Art Greene's Canyon Tours began running all day trips to Rainbow Bridge in the late 1960s. Demand for water access to the bridge grew as steadily as the popularity of Lake Powell among water recreation enthusiasts. By early 1975, Green was conducting half-day tours to accommodate the growing visitor demand. At the time Greene was the only licensed, official tour operator on Lake Powell. But the Park Service and all those involved at Rainbow Bridge knew that water craft tourism had permanently replaced land travel to the bridge. The growing number of visitors dictated that the monument and its environs needed careful and attentive management. By 1976 visitation reached more than 65,000 people. [337]

With a Memorandum of Agreement completed, the Park Service and Navajo Nation set about identifying potential development locations on Lake Powell's south shore. But the issues related to access and use of Rainbow Bridge were far from resolved. During the 1970s the Park Service personnel at Rainbow Bridge and elsewhere were consumed by the legal battle that erupted over Navajo First Amendment claims regarding unfettered access to the bridge. The Memorandum of Agreement had only been in effect for three

years when Lamar Badoni filed suit against the Park Service and the Department of Interior over the effects of Lake Powell on Navajo religious practices (see Chapter 4). The Park Service response, once the legal conflict subsided, was to generate the Native American Relationships Policy (NARP). The NARP was precipitated by passage of the American Indian Religious Freedom Act of 1978 (P.L. 95-341). The policy's intent was to make the Park Service more sensitive and responsive to the cross-cultural makeup of the region surrounding Rainbow Bridge. Managing the monument in terms of cultural diversity, as well as increasing visitation, was the tenor of Park Service administration in the 1980s. Working from the existing management guidelines, the Park Service modified the Statement For Management for Rainbow Bridge NM several times during the 1980s. Eventually the Park Service personnel at Glen Canyon and Rainbow Bridge under Superintendent John Lancaster realized that a new plan had to be drafted. Continual modification of existing guidelines was simply not keeping pace with the management demands at the bridge.

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CHAPTER 6:

Issues and Conflicts II: Rainbow Bridge National Monument and the Colorado River Storage Project, 1948-1974 (continued)

By 1962, the environmentalist rhetoric regarding the bridge was at a fever pitch. In a March press release sent to every member of the Sierra Club as well as Congress, Brower surmised that "no park or monument will be safe from destruction if this betrayal of promises and flouting of the law is allowed to continue." [286] This was the tone of all future environmentalist rhetoric regarding Lake Powell and the bridge. The issue at Rainbow Bridge was larger than one stone arch; to environmentalists it represented a threat to the national park system as a whole and an indictment of the veracity of any agreement with the federal government. If Congress did not mean what it said when it passed laws, Brower concluded, "we might as well close up shop!" [287]

Rainbow Bridge was at the center of a storm. Nothing the Sierra Club or others did worked. Despite huge letter writing campaigns and direct pressure on key committee members reminiscent of the Echo Park battle, Congress continued its tactic of ignoring funding requests from Interior. By the end of 1962 there was no movement on the issue from Secretary Udall or from Congress. In December 1962, the supporters of protection went to court.

The Sierra Club and the National Parks Association (NPA) knew that inundation of Glen Canyon was only a year away. Their only mission was to prevent the diversion tunnels from being gated, keeping the Colorado River flowing around the dam until protective measures could be funded and constructed. Anthony Wayne Smith, then executive secretary and general legal counsel for the NPA, wrote to Udall in August to urge Interior to comply with the legal and moral requirements of the CRSP and avoid litigation. Most interested parties understood that Udall could only demand funding and not appropriate funds. Environmentalists decided that if they could put the Secretary in a sufficiently public legal dilemma Congress might be forced to bail him out by funding protective measures. Smith anticipated that litigation would be expensive and would have to be pursued to the Supreme Court level and so began soliciting financial support from various environmental groups. [288] In November, Udall wrote to Smith, saying his inability to stop the closing of the gates on the diversion tunnels was unavoidable. Udall maintained that he had tried to secure funds for protective measures and that all his requests were not just denied by Congress but forbidden as a condition of general appropriations. He pointed to riders in the annual appropriations acts that stated "no part of the funds appropriated for the [CRSP] shall be available for construction or operation of facilities to prevent waters of Lake Powell from entering any national monument." [289] Congress had made it impossible for Interior or Reclamation to fund any protective proposal. For Smith and Brower, litigation was the only

remaining option.

On December 12, 1962, the National Parks Association filed suit against Stuart Udall in United States District Court for the District of Columbia. [290] NPA filed for a preliminary injunction to prevent Udall from authorizing closure of the diversion tunnel gates. The NPA relied on the case of *Nichols v. Commissioners of Middlesex County*, which held that under Massachusetts law an individual citizen had standing to compel a public official to carry out the duties of that official's office. The NPA reasoned that the defined scope of the duties of the Secretary of the Interior had been expanded by the legal stipulations of the CRSP. Judge Alexander Holtzoff ruled against the preliminary injunction for two reasons. First, the NPA lacked standing to sue. Based on *Massachusetts v. Mellon* (262 U.S. 447), the Massachusetts rule in *Nichols* did not equate to a federal rule. Citizens only shared a "general interest" in the carrying out of federal laws and the "general" nature of that interest did not confer on them standing to sue the federal government or its appointed representatives. Secondly, the functions of the Secretary of the Interior in taking measures to preclude the impairment of Rainbow Bridge were discretionary and not ministerial. The specifics of how and when to protect Rainbow Bridge were intended to be determined by the Secretary, not the Court. Consequently the Court could not enjoin the Secretary from actions related to those discretionary powers. [291] What the Court meant was that Secretary Udall was free to make any and all decisions necessary to preclude Rainbow Bridge from impairment even if environmentalists viewed those decisions as wrong.

Secretary Udall, momentarily victorious, prepared for the NPA to appeal. The Court did make a point of something very important to the environmentalist plaintiffs. In the Conclusions of Law, Judge Holtzoff stated, "The provisions of the Colorado River Storage Project Act remain in force. Their execution lies within the discretion of the Secretary." [292] In the appeal, this opinion might have been troubling for Udall. To help prepare a response, the Secretary employed the opinion of Interior solicitor Frank J. Berry. Berry analyzed the precedents relevant to the Rainbow Bridge funding problems and concluded that Congress' act of defunding protective measures through prohibitive provisos constituted a suspension of Sections 1 and 3 of the CRSP. Berry noted that in *United States v. Dickerson* (310 U.S. 554, 1939) Congress avoided its commitment to provide monetary bonuses to military re-enlistees by attaching provisos in subsequent appropriations acts limiting the use of available funds. "Not only are you not under any Congressional mandate to keep the diversion tunnels open," Berry wrote, "but your failure to effect closure would be at complete variance with the present state of the law applicable to the Glen Canyon Unit, for the Congress has effectively suspended the pertinent of the [CRSP] and has manifested the intention that construction and initiation of storage should proceed on schedule." [293] Based on this advice, Udall felt prepared for the appeals process.

Udall did not have to wait long for a final answer. Within a month, the Federal Circuit Court of Appeals and the Supreme Court upheld Holtzoff's opinion that the NPA and their fellow plaintiffs had no standing to sue and that the discretionary powers of the Secretary were not a matter of judicial concern. [294] On January 19, 1963, after the Supreme Court refused to grant certiorari in the case, Brower telegraphed Secretary Udall and urged him to keep the diversion tunnels open until some kind of compromise could be worked out. [295] But the Secretary, in his dual capacity as conservationist and preservationist, could not do more than he already had done to protect Rainbow Bridge. Regardless of Secretary Udall's personal belief in the value of protecting Rainbow Bridge, he knew that Congress would never fund construction of protective measures. Two days later, on January 21, 1963, BOR personnel shut the gates of the diversion tunnel on the

west bank; the Colorado River rose thirty-four feet behind Glen Canyon Dam. [296] Brower and his fellow environmental activists had enjoyed their greatest victory at Echo Park but suffered their most agonizing loss at Rainbow Bridge.

For its part, the Park Service spent the period between 1960 and 1963 preparing for the development of Glen Canyon NRA (see chapter 7). Park Service personnel knew that they could do little regarding the controversy over protective measures. Memos during this period tended to be concerned with the more practical aspects of park management, such as trail maintenance inside the monument, sanitation, and planning for the inevitable flood of visitors that would come to Rainbow Bridge via Lake Powell. The Park Service understood that it operated under direction from the Secretary of the Interior regarding the issue of protective measures; therefore, the Secretary's policy of pursuing funding while still accepting the reality of Lake Powell was the official line the Park Service also followed. Local Park Service personnel familiar with the topography of the Rainbow Bridge area knew that even if protective measures were constructed, visitors would be able to boat to within a mile of the bridge via Lake Powell. This inevitable rise in visitation compelled the Park Service during the early 1960s to complete a Memorandum of Understanding with the Bureau of Reclamation regarding management policies and authority at Glen Canyon. Regardless of the outcome of the conflict over protective measures, Glen Canyon Park Service personnel knew that new management policies, modified budgets, and increased funding would be critical to handling increased visitation at Rainbow Bridge.

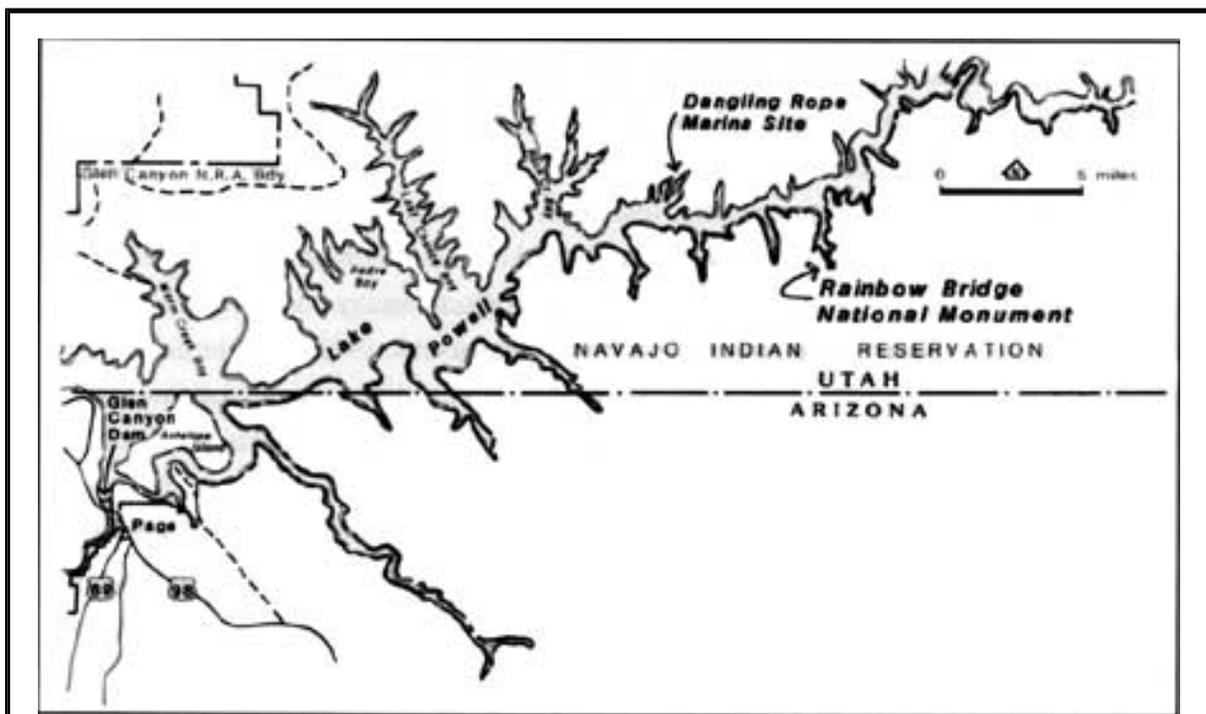


Figure 30 Rainbow Bridge in relation to Lake Powell (Courtesy of Intermountain Support Office)

The mood of the nation changed after 1963. In November of that year, President John F. Kennedy was assassinated, providing vivid evidence of life's temporal nature. During the 1960s Congress passed a large number of environmentally sensitive laws. Some scholars have described this period as the "green

revolution." Between 1963 and 1970, two presidential administrations and Congress made enormous strides toward protecting scenic and natural resources. During this "green revolution" Presidents Johnson and Nixon signed the Wilderness Act (1964), the National Wildlife Refuge System (1966), the National Wild and Scenic Rivers Act (1968), the National Trails Act (1968), and the National Environmental Policy Act (NEPA, 1970). The NEPA authorized the Environmental Protection Agency (EPA), and also contained language requiring environmental impact statements (EIS) for federal development projects or non-federal projects on federal land. The mood during the last seven years of the 1960s was optimistic with regard to the environment. Scenic landscapes were regulated by numerous agencies and protective laws. In this climate of national environmental sentiment David Brower returned to the fight for Rainbow Bridge.

During the 1960s, Lake Powell rose slowly behind Glen Canyon Dam. By 1970, the waters from Lake Powell threatened to cross the boundaries of Rainbow Bridge NM. Brower, in his new capacity as director of Friends of the Earth, decided the time was right for a new lawsuit. Brower never forgot that the only real reason NPA lost the previous suit against Udall was the Court's ruling that NPA lacked standing to sue; the merits of the case were never tried. In November 1970, Friends of the Earth, the Wasatch Mountain Club, and Kenneth G. Sleight filed suit in Utah Federal District Court against two parties: Ellis L. Armstrong, Commissioner of the Bureau of Reclamation, and Secretary of the Interior Rogers C.B. Morton. The suit alleged that the Bureau of Reclamation and the Secretary of the Interior were still legally required to prevent impairment of Rainbow Bridge from Lake Powell. [\[297\]](#)

In the 1970 suit, Friends of the Earth claimed that the water from Lake Powell had risen much further into the monument than anyone had anticipated. Evidence presented during proceedings in 1971 indicated that the water was flowing back and forth into Bridge Canyon. The plaintiffs argued that this represented a clear threat of impairment to the bridge and that stipulations of the CRSP had been ignored.

The case proceeded slowly through pleadings and discovery. Federal attorneys argued much the same as they had in 1962. They contended that Friends of the Earth had no standing to sue and that defunding of protective measures constituted a reversal of the CRSP's Congressional intent clause. But Friends of the Earth seized on a minor point of contention in the 1962 decision: even if the plaintiffs had standing to sue, they could not prove injury sufficient to compel the court to enjoin Udall from closing the diversion tunnel gates. In the 1970 suit, Friends of the Earth felt they had evidence to support a claim of injury, that Rainbow Bridge was being "impaired." In 1973, the plaintiffs filed for a summary judgement in the case. On February 27, 1973, Chief Judge Willis W. Ritter granted summary judgement in favor of the plaintiffs.



Figure 31 View of Rainbow Bridge from Lake Powell, January 17, 1971 (Courtesy of Glen Canyon NRA, Interpretation Files. Photo by W.L. Rusho)

Ritter's decision validated a number points: that they had standing to sue; that the merits of the case should be tried; the Intent Clause of the CRSP (Section 3) had not been repealed by implication; and, Secretary Morton was bound by the statutory duty to not only protect Rainbow Bridge from Lake Powell but to remove any and all Lake Powell waters from the monument. Ritter issued a judicial order directing Armstrong and Morton "to take forthwith such actions as are necessary to prevent any waters of Lake Powell and the Glen Canyon unit from entering . . . the boundaries of Rainbow Bridge National Monument and they . . . are permanently enjoined and restrained from permitting or allowing the waters of Lake Powell . . . to enter or remain within the boundaries of the Rainbow Bridge National Monument." [298]

The day after the Ritter decision, Senator Frank Moss introduced S. 1057 in the Senate. The bill amended the CRSP by deleting the prohibitive language from Section 3. Environmentalists anticipated this move. Within two days of the Moss bill, messages and telegrams were sent between key members of Congress and Brower and the Friends of the Earth. By March 15, Brock Evans of the Sierra Club assured Brower that the Moss bill would come before Senator Alan Bible's Interior Committee and "be buried for a very long time." [299] The mood regarding Glen Canyon also shifted in the Lower Basin states. To comply with Ritter's decision, which required the removal of Lake Powell water from the monument, meant lowering the lake's maximum elevation. The only feasible way to achieve this end was to release large quantities of water from Lake Powell to the Lower Basin. The prospect of nearly a million more acre feet of water naturally appealed to Arizona and California. [300] Newspapers called the situation a "classic confrontation between conservationists and the federal government." [301]



**Figure 32 Aerial Photo of Rainbow Bridge, August 16, 1981.
Water is not far from the bridge (Courtesy of Glen Canyon NRA,
Interpretation Files. Photo source unknown)**

The Department of the Interior decided to appeal Ritter's decision. They solicited the Justice department's opinion on how to stay Ritter's order and filed for appeal on March 14. Ritter denied federal requests that he voluntarily stay his own order until the appeal was heard. [302] To comply with Ritter's order, the Bureau of Reclamation began large water releases from Glen Canyon Dam at the end of March 1973. [303] They did not have to comply for long. That summer, the U.S. Circuit Court of Appeals in Denver reversed Ritter's decision and ruled in favor of Armstrong and Morton. The Bureau of Reclamation stopped releasing extra water from Lake Powell. The appellate court decision followed the same line as the 1962 decision, ruling that the power to protect or not protect Rainbow Bridge was discretionary to the office of the Secretary of the Interior. The court also concluded that Congressional defunding of protective measures was tantamount to a modification of Section 3 of the CRSP and the Secretary could no longer be bound by its stated intent.

On January 21, 1974, the Supreme Court refused to grant certiorari and did not hear the case, which Interior and Reclamation interpreted as tacit validation of the appellate court decision. As long as Rainbow Bridge remained vertical, the protective clauses of the CRSP were no longer an issue. Other groups, such as the Navajo Tribe, also filed suits seeking restriction of Lake Powell's water from the monument. The significance of Rainbow Bridge, as a unit of the national park system, was in its role as a playing field for competing public and federal interests. Secretary Udall entered the debate in 1961 with history of activism for both conservation and preservation. But in his capacity as Secretary, he was in charge of two different agencies with different agendas regarding Rainbow Bridge. The Colorado River Storage Project, a massive edifice of water reclamation that affected millions of people, proved too powerful a consideration during the debate over water inundating a small portion of Bridge Canyon. In one of the other important cases involving Rainbow Bridge, *Badoni v. Higginson*, the courts ruled that the considerations of the CRSP were so important that even infringing on the First Amendment could be allowed (see chapter 5). The Park Service's management goals and policies for the monument evolved quickly during the litigious 1960s and 1970s. After Lake Powell water finally moved under the bridge, the Park Service embraced a management style marked by flexibility and adaptivity.

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